



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) .No.6331 of 2013

R.Saravani

... Petitioner

Vs.

1.The Secretary

Board of Higher Secondary Education
Department of Government Examination
Madras - 6.

2.The Secretary

Board of Secondary Education
Department of Government Examination
Madras - 6.

3.The Director of School Education,
College Road, Chennai - 6.

4.Government of Tamilnadu

Department of Collegiate Education,
Madras - 6.

5.The District Educational Officer,
Thallakulam, Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 4 to rectify the petitioner's birth date as 20.07.1992 instead of 20.5.1991 and issue a new certificates, on petitioner's representation dated 2.4.2013.

For Petitioner : M/s.B.Asha

For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader

O R D E R

This petition has been filed, seeking a direction to the respondents 1 to 4 to rectify the petitioner's birth date as 20.07.1992 instead of 20.5.1991 and issue new certificates, on the basis of her representation dated 2.4.2013.

<https://hcservices.ecourts.gov.in/hcservices/> By consent, the writ petition is taken up for final disposal.



3. The petitioner, who is a B.Com., graduate is before this Court and according to her, her date of birth, as per the Birth Certificate issued by Madurai Corporation, is 20.07.1992. Whereas, in all her mark statements, viz., school, college, etc., her date of birth was wrongly entered as 20.05.1991. In order to correct the mistake crept-in in all her certificates, she submitted a representation dated 02.04.2013 to the respondents 1 to 5. As her request is not considered by them, the present petition came to be filed for the aforesaid relief.

4. Heard the learned Counsel on either side and perused the materials available on record.

5. The learned Additional Government Pleader appearing for the respondents has, on instructions, submitted that the petitioner's date of birth, at the time of joining the School, was entered as 20.05.1991 and the same was subsequently, carried over by the authorities, in all her mark statements. All of a sudden, the petitioner, in the year 2013, approached the authorities, stating that her date of birth was wrongly mentioned in all her certificates, relying upon the birth certificate dated 20.07.1992, issued by Madurai Corporation. He further submitted that the third respondent is the competent authority to pass orders in this issue and if reasonable time is granted to the third respondent, the petitioner's representation dated 02.04.2013, if not considered earlier, will be considered and suitable orders be passed.

6. Considering the above said submission, the writ petition is disposed of, directing the third respondent to consider the representation of the petitioner dated 02.04.2013 and pass appropriate orders, if not already passed, regarding the correction in respect of the date of birth in all her certificates in consonance with her birth certificate, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as other interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Secretary

Board of Higher Secondary Education

<https://hcservices.mca.gov.in/> Department of Government Examination

Madras - 6.



2.The Secretary
Board of Secondary Education
Department of Government Examination
Madras - 6.

3.The Director of School Education,
College Road, Chennai - 6.

4.Government of Tamilnadu
Department of Collegiate Education,
Madras - 6.

5.The District Educational Officer,
Thallakulam, Madurai.

+1cc to M/S.Special Government Pleader,SR.93349,93299

W.P. (MD) .No.6331 of 2013
15.12.2017

rm

KK/SKN RSK/SAR 4/27.12.2017/ 3P- 7C/