

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :06.02.2018
CORAM
THE HON'BLE MR.JUSTICE R.MAHADEVAN
W.P.No.34131 of 2014

Minor Anush
Through her natural guardian
And her father KT.Singaram,
Door No.15, D Block,
Metro castle,
Mugappair, Chennai.

..Petitioner

vs

- 1.The Joint Commissioner(Personal)
Kendriya Vidyalaya Head Quarters,
18, Institutional Area,
Shaheedjeet Singh Marg,
New Delhi - 110 016.
- 2.The Assistant Commissioner,
Kendriya Vidyalaya Sangathan
Regional Office,
IIIT Campus, Adyar,
Chennai - 600 036.
- 3.The Principal,
Kendriya Vidyalaya Sangathan,
Anna Nagar,
Chennai - 600 040.
- 4.The Commissioner(Birth and Death Registry Department)
The Corporation of Chennai.
- 5.The Central Board of Secondary
Education(CBSE), Rep.by its Director,
Southern Region, Anna Nagar, Chennai.
(R5-Suo motu impleaded as per order
dated 06.12.2017 in W.P.No.34131 of 2014)

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to effect the changes in the date of birth of the petitioner in the school records of the 3rd respondent by altering 09.12.1999 as 09.03.1999 as it is recorded in the original Birth Certificate of the petitioner, bearing its registration no.COC/1999/10/155/000129/0 issued on 11.12.2012 by the 4th respondent.

For Petitioner :Mr.S.Nandhivarman
For RR1 to R3 :Mr.M.Vaidyanathan
For R4 :Mr.P.V.Selvakumar
For R5 :Mr.G.Nagarajan

O R D E R

The petitioner has come up with this writ petition for a Mandamus, directing the respondents to effect the changes in the date of birth of the petitioner in the school records of the 3rd respondent by altering 09.12.1999 as 09.03.1999 as it is recorded in the original Birth Certificate of the petitioner.

2.However, the learned counsel for the petitioner, after arguing some time, submitted that the petitioner would be satisfied, if a direction is given to the third respondent to consider the claim of the petitioner, on production of the necessary records issued by the previous school, in which, the petitioner last studied, after making correction in respect of the date of birth of the petitioner, for which, the learned counsel for the third respondent has no serious objection.

3.In view of the submissions so made by the learned counsel for the respective parties, and also considering the averments made in the counter affidavit filed by the fifth respondent/ Central Board of Secondary Education to the effect that the fifth respondent has nothing to do with the alteration of the date of birth in the records maintained by the school, this Court permits the petitioner to approach the third respondent with necessary records issued by the last studied institution, after making correction in respect of the date of birth of the petitioner. On such approach, the third respondent shall consider the same and do the needful with regard to the change of date of birth of the petitioner, on merits and in accordance with law, as expeditiously as possible.

4.Accordingly, the writ petition stands disposed of. No costs.

kak

Sd/-

Assistant Registrar(CSII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Joint Commissioner(Personal)
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 - 4.The Commissioner(Birth and Death Registry Department)
The Corporation of Chennai.
 - 5.The Director,
Central Board of Secondary
Education(CBSE),
Southern Region, Anna Nagar, Chennai.
- +1cc to Mr.M.Vaidhiyanathan, Advocate Sr.No.9643
+1cc to Mr.P.Vasanth, Advocate SR.No.9363
+1cc to Mr.G.Nagarajan, Advocate SR.no.9310

VGI(CO)
sm:7.3.2018

सत्यमेव जयते

W.P.No.34131 of 2014

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