

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.02.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.2931 of 2018

B.Ramjirao

..Petitioner

vs

1.The Secretary,
Board of Secondary Education,
Chennai - 600 005, Tamil Nadu.

2.The Director of School Education,
College Road, Nungambakkam,
Chennai - 600 034.

3.The Regional Transport Officer (South)
No.38, East Coast Road, Thiruvanmiyur,
Chennai - 600 041.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner representation dated 12.12.2017 for necessary corrections in the S.S.L.C Mark Sheet and further, directing the respondents to issue a driving license with the petitioner date of birth as 14.07.1978 as per the Birth Certificate, Aadhar Card and existing Driving License in favour of the petitioner in accordance with law.

For Petitioner : M/s.C.Nithyash Sekhar

For Respondents: Mr.A.Rajaperumal

Additional Government Pleader

ORDER

This writ petition has been filed to issue a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 12.12.2017 for carrying out the necessary correction in the S.S.L.C Mark Sheet with regard to his date of birth and issuing a driving license indicating his date of birth as 14.07.1978 based on the birth certificate, Aadhar Card and the existing driving license, to the petitioner.

2. According to the petitioner, he was born on 14.07.1978 and he is in possession of birth certificate, Aadhar Card and driving license indicating his date of birth as 14.07.1978. However, due to inadvertent error, his father has wrongly mentioned the date of birth of the petitioner as 10.06.1980, at the time of admitting him in the school, due to which, in the SSLC mark statement, his date of birth was mentioned as 10.06.1980, instead of 14.07.1978. When he approached the Regional Transport Officer concerned for getting driving license for heavy vehicle, he was insisted to produce the SSLC mark statement with correct date of birth. Hence, he submitted a representation dated 12.12.2017 to the respondents to rectify the said mistake crept in his SSLC mark statement and the said representation is pending without any progress. Therefore, the petitioner has approached this Court with the present writ petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. A perusal of the documents enclosed in the typed set of papers filed along with this writ petition, more particularly, birth certificate, would reveal that the petitioner was born on 14.07.1978, whereas, in the SSLC mark statement of the petitioner, his date of birth was indicated as 10.06.1980, which error, according to the petitioner, is due to inadvertent mistake committed by his father at the time of school admission. The petitioner approached the respondents with a request to correct his date of birth in the SSLC mark statement. However, the said request has not been considered so far.

5. This Court is of the opinion that there cannot be different entries in public records maintained by different authorities and the entries to be maintained uniformly. When the petitioner is able to substantiate his claim, with regard to alteration/correction of his date of birth, with authentic and legal evidence, the same will have to be considered by the respondent concerned.

6. In such view of the matter, the respondents are directed to consider the petitioner's representation dated 12.12.2017 with regard to correction of his date of birth, based on the birth certificate issued by the competent authority, and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

kak/rk

To

1. The Secretary,

Board of Secondary Education,
Chennai - 600 005, Tamil Nadu.

2. The Director of School Education,

College Road, Nungambakkam,
Chennai - 600 034.

3. The Regional Transport Officer (South)

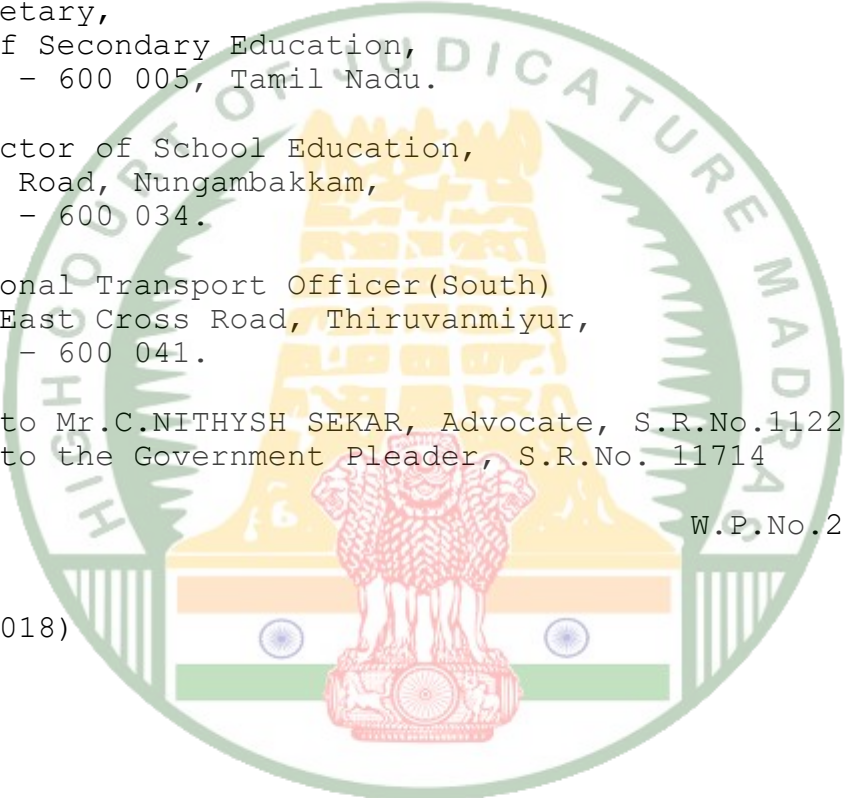
No.38, East Cross Road, Thiruvanmiyur,
Chennai - 600 041.

+2cc to Mr.C.NITHYSH SEKAR, Advocate, S.R.No.11226

+1cc to the Government Pleader, S.R.No. 11714

W.P.No.2931 of 2018

SSV(CO)
TR(02/04/2018)



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