



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 13.03.2018

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE R.THARANI**

W.P.(MD).No.21325 of 2017
and
W.M.P.(MD).No.17586 of 2017

S.Aditya Vikram

... Petitioner

Vs.

1.Union of India,
Rep by its,
Secretary to Government of India,
Ministry of Human Resource Development,
Shastri Bhawan,
New Delhi-110 001.

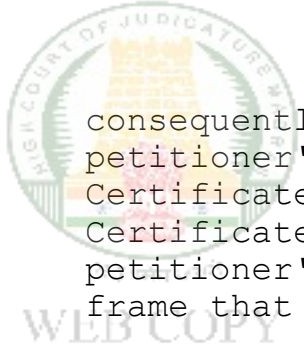
2.Central Board of Secondary Education,
Rep by its Director,
PS-1-2, Institutional Area,
Patparganj
New Delhi-110 092.

3.Regional Officer,
Central Board of Secondary Education,
Rep by its Regional Officer,
(Chennai Region)
Regional office
3/1630 A "J" Block,
16th Main Road,
Anna Nagar,
Chennai-600 040

4. The Principal,
The Velammal International School,
Chennai- 601 204.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of the 3rd respondent in CBSE/RO(M)/LEGAL/WP(MD)No.23485/2017/1647/SP dated 16.10.2017 and quash the same as illegal and declare that the CBSE Examination Byelaw 69(1)(i) will not be applicable to change of Initials which inadvertently entered as typographical or over sight mistake and



consequently direct the 3rd respondent herein to correct the petitioner's father's initial in the All India Senior School Certificate Examination, CBSE Board Certificate, Migration Certificate and other connected certificate pertaining to the petitioner's All India Senior School Certificates within a time frame that may be fixed by this Court.

For Petitioner : Mr.A.Kannan
 For R1 : Mr.K.R.Laxman
 For R2 & R3 : Mr.S.Kadarkarai

O R D E R

[Order of the Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.A.Kannan, learned counsel appearing for the petitioner and Mr.K.R.Laxman, learned counsel appearing for the first respondent and Mr.S.Kadarkarai, learned counsel appearing for the second and third respondents.

2.The petitioner has filed this writ petition seeking for issuance of writ of certiorarified mandamus challenging the order passed by the third respondent dated 16.10.2017 and to effect change in the initial of the petitioner's father name, which is stated as a typographical mistake by either side.

3.A counter affidavit has been filed by the second and third respondents, from which, it is seen that in terms of amended CBSE Examination Byelaw 69.1.(ii), correction in name to the extent of correction in spelling errors, factual typographical errors in the candidate's name/surname, father's name/mother's name or Guardian's name can be made to be consistent with what is given in the school record or list of candidates submitted by the schools. The mistake has occurred on account of typographical error committed by the fourth respondent School, while issuing Transfer Certificate by mentioning the petitioner's father initial as "S" instead of "V". The School has subsequently realized the mistake and have given a fresh Certificate mentioning the initial of the petitioner's father as "V" instead of "S". In paragraph No.6 of the counter affidavit, the respondents 2 and 3 would state that there is no inconsistency between the School records and the list of candidates, situation was because, the School initially give a wrong initial of the petitioner's father. This has been subsequently rectified by issuance of certificate bearing No.4075. The fourth respondent School cannot be solely blamed for the mistake, the school where the petitioner studied earlier viz., Lakshmi School also gave the initial of the petitioner's father as "S.Senthilkumar"

4.In any event, on account of the mistake committed by the School authorities or on account of an inadvertent mistake, the petitioner should not be put to prejudice. Admittedly, it being a typographical mistake and the School themselves had accepted the



fact and gave a fresh certificate bearing No.4075, the same should be taken into consideration and necessary corrections be made in the petitioner's All India Senior School Certificate Examination, CBSE Board Certificate, Migration Certificate and other connected certificates by changing the initial of the petitioner's father as "V" instead of "S" and such direction shall be complied with by the third respondent, within a period of three weeks from the date of receipt of a copy of this order. It is made clear that this order shall not be treated as a precedent and has been passed taking into consideration the peculiar facts and circumstance of the case. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

- 1.Union of India,
Rep by its,
Secretary to Government of India,
Ministry of Human Resource Development,
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New Delhi-110 001.
- 2.Central Board of Secondary Education,
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Central Board of Secondary Education,
Rep by its Regional Officer,
(Chennai Region)
Regional office
3/1630 A "J" Block, 16th Main Road,
Anna Nagar, Chennai-600 040.

+1CC TO M/S.A.KANNAN, ADVOCATE, SR NO.54882
+1CC TO M/S.S.KADARKARAI, ADVOCATE, SR NO.55211
+1CC TO M/S.K.R.LAXMAN, ADVOCATE, SR NO.55467

W.P. (MD) .No.21325 of 2017
and

W.M.P. (MD) .No.17586 of 2017
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Ns

MS/SV-MMS/SAR-1/02.04.2018/3P.7C