

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.19137 of 2015

ORDER:

There is no representation on behalf of the petitioner.

The prayer sought in the writ petition is as under:

“... to issue an appropriate writ, order or direction more in the nature of Writ of Mandamus declaring the action of the respondents 2 & 3 herein in not amending the name of the father of the petitioner as Sinaiah from that of Yohan in the Secondary School Certificate even after lapse of almost 5 years from the date of request made by the Correspondent of the School where the petitioner has studied and more than 4 months from the date of request made by the father of the petitioner even after submitting the necessary proposals by the 4th respondent and whereby the petitioner is being deprived of his further studies as well entitlement of benefits that are being extended by the 1st respondent herein as being illegal, arbitrary and is in violation of Articles 14 and 21 of the Constitution of India and consequently direct the respondents 3 & 4 herein to take immediate steps to rectify the mistake crept in the Secondary School Certificate of the petitioner forthwith and report compliance to this Honourable Court.”

The specific case of the petitioner is that in spite of repeated requests made by him before respondent Nos.2 and 3, they are not changing the name of his father as Sinaiah from Yohan in the secondary school certificate even after lapse of five years from the date of request made by the correspondent of the school and four months from the date of request made by his father, after submitting necessary proposals by the 4th respondent.

During the course of hearing, learned Government Pleader placed on the orders passed in G.O.Ms.No.1263, Education Department, dated 06.05.1961.

A perusal of the said orders would indicate that under Section-C Rules for correction of the entries relating to the name, surname, father's name, etc., in completed secondary school leaving certificate or higher secondary certificate or higher secondary certificates or higher secondary (MP) certificates are

mentioned. As per the said Rules, no application shall be entertained by the Government or any officer of the education department for correction of the entries relating to name, father's name etc., in the completed Secondary School Leaving Certificate or Higher Secondary Certificates, or Higher Secondary (Multipurpose) Certificates, unless it be for the correction of obviously absurd entries or clerical mistakes committed in the school. Therefore, this Court is of the opinion that as per the orders passed in G.O.Ms.No.1263 dated 06.05.1961, the respondents are not competent to entertain any application submitted by the petitioner for changing his father's name in the secondary school certificate.

In that view of the matter, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHAVA RAO, J

Date: 29.11.2018.
ES