

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.16700 OF 2018

O R D E R

Aggrieved by the proceedings No. CBSE / RO(M) / CORR / REJECTION / 2017/10480 dated 24.11.2017, issued by the respondent – Central Board of Secondary Education (for short 'the Board'), represented by its Regional Manager, Chennai, in rejecting the claim of the petitioner for correction of his name as 'KONDURU DAYAKAR REDDY' instead of 'KONDURU DAYAKAR REDDI' in the class X grade sheet cum certificate bearing No.1107002 and also in the Migration Certificate issued to his daughter Kumari Konduru Sreya; the present writ petition is filed.

As per the averments made in the affidavit filed in support of the writ petition, the case of the petitioner is that his daughter Kumari Konduru Sreya, was admitted in Meridian School for Boys and Girls, Road No.7, Banjara Hills, Hyderabad, which is affiliated to the Board, vide No.3630044, in the year 2006 in Class I. In the admission form bearing No. 2337, the name of the petitioner was mentioned erroneously as 'Konduru Dayakar Reddi' instead of 'Konduru Dayakar Reddy'. The petitioner's name is 'Konduru Dayakar Reddy' and the same is mentioned in all his public records such as Aadhar Card, passport, birth certificate of his daughter. But as stated above, it was mentioned wrongly, and same was carried in the school records of his daughter and in the final list of candidates registered for Class X examination, 2016, the same mistake was carried forward. The daughter of the petitioner passed Class-X examination in the year 2016 vide roll No.4087560 and the name of the petitioner in her grade sheet cum certificate bearing No.1107002 and also in the migration certificate was mentioned wrongly. Therefore, he made an application in

the prescribed form during the month of October, 2016 to the Principal of Meridian School for Boys and Girls for correction and the same was forwarded to the respondent, who passed the impugned order of rejection. Hence the writ petition.

Learned counsel for the petitioner, reiterating the above averments, further submit that the petitioner has submitted to the school in the prescribed format along with supporting documents, for correction of his name, but the respondent without considering the same and recording any reasons, rejecting the claim of the petitioner. Learned counsel relied on the judgment of the High Court of Allahabad in *RAJAT YADAV vs. UNION OF INDIA*¹, wherein it was held that lenient view is to be taken in correction of mistakes in the records maintained by the Board.

Smt. A.Chaya Devi, learned Standing Counsel for the respondent submits that based on school records, respondent passed the impugned order and the same cannot be faulted. Therefore, she sought to dismiss the writ petition.

From the above averments, the case of the petitioner is that by mistake, his name was mentioned in the school records of his daughter as 'Konduru Dayakar Reddi' instead of Konduru Dayakar Reddy' and for correction of same, he submitted application to the school in the prescribed format along with supporting documents viz., passport, adhar card and birth certificate of his daughter. In the material papers, petitioner has filed copy of 'Name correction format for correction in candidate name / mother / father name to be submitted by the Principal of the School', which was forwarded by the school to the respondent. In the said format, the principal of the school, where the daughter of the

¹ Writ – C.No.66207 of 2015 at Allahabad dated 3.1.2017

petitioner studied, has mentioned the corrections as sought for by the petitioner and sent the same to the respondent. As the Principal of the school has made the corrections, the respondents, considering the documents submitted by the petitioner, ought to have caused the correction sought for by the petitioner. In the impugned order it is mentioned that the correction sought for by the principal of the school is not found in consonance with the school records. As noted above, in the prescribed format, the principal of the school mentioned the corrections sought for by the petitioner, but while rejecting, the respondent has not considered the same.

In the judgment of the Allahabad High Court, referred to above, in similar facts and circumstances, where the petitioner therein sought for change of his father's name in the records of Board, it was held that Board has to take a lenient view in correction of mistakes in the record maintained by the Board and while setting aside the order of the Board, High Court directed to correct the name of the petitioner's father and issue necessary certificate.

In view of the above facts and circumstances, the impugned order is set aside and the respondent is directed to make necessary correction in the name of the petitioner based on the documents produced by the petitioner, as forwarded by the school in the format, and issue Grade Sheet cum Certificate bearing No.117002 and Migration Certificate of the daughter of the petitioner Konduru Sreya, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

Writ petition is accordingly allowed.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

A.RAJASHEKER REDDY,J

DATE:29—06—2018

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