

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.24047 of 2017

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Respondents, apart from perusing the material available before the Court.

2. In the present writ petition, challenge is to the proceedings dated 12.5.2017 issued by the Additional Joint Secretary, Secondary School Education, office of the Director of Government Exams, Chapel Road, Hyderabad-3rd respondent herein. By way of the said proceedings, the 3rd respondent rejected the request of the petitioner herein for carrying out certain corrections pertaining to his name and his father's name in the Secondary School Certificate (SSC).

3. The case of the petitioner herein is that his correct name is "Panthangi Sai Suresh Kumar", his father name "Panthangi Siva Rama Krishna Rao" and mother name is "Panthangi Venkata Naga Krishna Meenakshi" and while filling up the application for SSC examinations, the School authorities filled the columns in the applications erroneously by showing the name of petitioner as "Panthangi Suresh Kumar, father name as "P.Siva Rama Krishna" and mother name as "P.Meenakshi".

4. Reiterating the contents of the affidavit, filed in support of the Writ Petition, it is submitted by Sri V.S.R.Anjaneyulu, learned counsel for the petitioner, that the impugned action on the part of the respondent authorities is highly illegal, arbitrary, unreasonable and violative of Article-14 of the Constitution of India and also contrary to the Government Orders issued from time to time.

5. On the other hand, it is submitted by the learned Government Pleader for School Education, Telangana State, that the Rules and instructions issued by the Government from time to time do not authorize the authorities to consider the request of the petitioner herein.

6. On 12.1.2017, a representation was made by the petitioner to the Respondents 2 and 3, requesting to correct the above mistakes as per the Birth Certificate issued by Tenali Municipality and to issue a fresh certificate. Since there was no response to his representation, petitioner filed W.P.No.3895 of 2017 before this Court and this Court disposed of the said writ petition on 9.3.2017, directing the Respondents 2 and 3 to consider the letter of 8th respondent (Head Principal of Shanthiniketan High School) dated 22.10.2016. It is to be noted that the letter dated 22.10.2016 was addressed by the 8th respondent to the 3rd respondent, forwarding the application of the petitioner for necessary corrections in the SSC Certificate. Pursuant to the above orders passed by this Court, the 3rd respondent vide proceedings dated 12.5.2017, refused to consider the request of the petitioner for correction of his name and his parents name in the SSC Certificate, while referring to G.O.Ms.No.1263 dated 6.5.1961. It is also significant to note in this context that the petitioner got corrected names gazetted vide notification dated 16.6.2016 published in A.P. Gazette. The date of birth certificate issued by Tenali Municipality also supports the version of the petitioner herein. The order passed by the State Government vide G.O.Rt.No.604 Education (K) Department dated 23.4.1977 is placed before this Court and the same reads as under:

“As per the amendment orders issued in the Government Memorandum second read above, proposals for the correction of date of birth, name, surname, father's name, caste and religion etc., of the candidate are to be submitted to the director of School Education, by

the Head of the Institutions through the District Educational Officer concerned, along_ with the necessary documents. The Director of School Education after conducting necessary enquiries will submit the proposals to Government with his own recommendations for orders.

2. The Commissioner for Govt. Examinations, has reported that his office comes across certain minor mistakes in the completed SSCs such as spelling mistakes, etc., which can be easily disposed off by his office itself, basing on the endorsements of the Heads of the Institutions and copies of the admission registers, to avoid hardship to the candidates in getting the minor mistakes, corrected in their completed SSCs. 'Mc Commissioner for Government Examinations has therefore requested the Government to delegate him powers to make such minor corrections.

3. Government after careful examination approve the proposal and hereby authorise the Commissioner for Government Examinations to make minor corrections in the completed SSCs such as spelling mistakes etc., excluding corrections regarding caste and date of birth, which will be done at the Government level."

7. It is very much evident from a reading of the above order that obviously keeping in view the hardship of the students in getting the minor mistakes corrected in the Certificates, the State Government issued the above G.O. It is also evident from the said order that the Commissioner for Government Examinations was authorised to make minor corrections in the completed SSCs, such as, spelling mistakes etc., excluding corrections regarding caste and date of birth. In the instant case, the correction as requested by the petitioner herein is only minor correction and the 3rd respondent erroneously declined to correct such minor mistakes pertaining to the name of the petitioner and his parent's name.

8. The mistakes crept in the Secondary School Certificate cannot be attributed to the petitioner as it is the categoric case of the petitioner that the School authorities while filling up the application for SSC examinations,

wrongly entered his name as Panthangi Suresh Kumar instead of “Panthangi Sai Suresh Kumar”, and his father name as P.Siva Rama Krishna instead of “Panthangi Siva Rama Krishna Rao” and mother name as P.Meenakshi instead of “Panthangi Venkata Naga Krishna Meenakshi”. In the considered opinion of this Court, the said mistakes are minor in nature and the same can be corrected in the light of the guidelines issued by the Government vide G.O.Rt.No.604 dated 23.4.1977.

9. In view of the same, the writ petition is allowed, setting aside the proceedings dated 12.5.2017 issued by the Additional Joint Secretary, Secondary School Education, office of the Director of Government Exams, Chapel Road, Hyderabad-3rd respondent herein with a consequential direction to the Respondents 2 and 3 to make necessary corrections in the Secondary School Certificate of the petitioner herein and to issue the amended copy of Secondary School Certificate to the petitioner as expeditiously as possible. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 26.12.2018
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THE HON'BLE SRI JUSTICE A.V.SESHA SAI



W.P.No.24047 of 2017

26.12.2018

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