

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.21197 of 2019
and W.M.P.No.20405 of 2019

Shivdani

.. Petitioner

/versus/

- 1.The Central Board of Secondary Education(CBSE),
Rep.by its Chairman,
Shiksha Kendra-2,
Community Centre, Preet Vihar,
Delhi-110 092.
 - 2.The Controller of Examination,
Central Board of Secondary Education(CBSE),
Shiksha Kendra-2,
Community Centre, Preet Vihar,
Delhi-110 092.
 - 3.The Deputy Secretary,
Central Board of Secondary Education (Regional Office),
Plot No.1630-A, J Block, 16th Main Road,
Annanagar West,
Chennai-600 040.
 - 4.The Principal,
Sainic School,
Amaravati Nagar,
Udumalpet Post,
Coimbatore District-642 102.
 - 5.The Section Officer,
The Central Board of Secondary Education (Regional Office),
Plot No.1630-A, J Block, 16th Main Road,
Annanagar West,
Chennai-600 040.
- .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of Writ of Certiorarified Mandamus, challenging the order of the 5th respondent in proceedings No.RO[M]/CORRN/REJ/2018/11508 dated 21.09.2018 and quash the same as illegal and consequently direct

the respondents to carry out changes in petitioner's Secondary School Examination Certificate in Roll No.4115430 and Serial No.438615 based on the recommendations of the 4th respondent dated 18.08.2018.

For Petitioner : Mr.R.Sivakumar for
M/s.K.M.Vijayan Associates

For Respondents : Mr.G.Nagarajan,
St.c for R1to R3 & R5

No appearance for R4

O R D E R

Heard the learned counsel for the petitioner and the learned Standing counsel for the CBSE.

2. The grievance of the petitioner is that in her 10th standard mark list her father name is typed as "Ramrup Rasad Rajak" instead of "Ramrup Prasad Rajak". After completing her 12th standard and while joining higher course, the petitioner has found that in his 10th standard mark sheet the middle name of her father has been wrongly printed as 'Rasad' instead of 'Prasad'. The omission of letter 'p' in the middle name was sought to be rectified by the petitioner vide letter dated 18.07.2018. However, the Central Board of Secondary Education has declined to accede the request. Hence, the present writ petition.

3. On notice the respondents 1, 3 and 5 have entered appearance through their Standing counsel and has filed counter, wherein, it is stated that the certificate has been printed and issued to the candidate based on the information given by the concerned School and any correction after 5 years cannot be entertained. Further, on the part of the respondent there is no error or dereliction. Hence, the request of the petitioner cannot be considered. Accordingly, the petitioner was also informed through the rejection letter, which is impugned by the petitioner.

4. This Court in order to readdress the grievance of the petitioner direct the 1st respondent to consider the request of correcting the 10th mark sheet by printing the name of the petitioner's father as "Ramrup Prasad Rajak" and issue amended mark sheet after receiving the requisite fees from the petitioner. The petitioner herein shall surrender his mark sheet which carries the middle name of his father as Rasad instead of Prasad while making application for the name change. The request of the petitioner may be considered within a period of three weeks from the date of receipt of copy of this order.

5. With the above directions, this writ petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

rpl
To

Sub Assistant Registrar

1. The Chairman,
The Central Board of Secondary Education (CBSE),
Shiksha Kendra-2,
Community Centre, Preet Vihar,
Delhi-110 092.
2. The Controller of Examination,
Central Board of Secondary Education (CBSE),
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Coimbatore District-642 102.
5. The Section Officer, सतयमेव जयते
The Central Board of Secondary Education (Regional Office),
Plot No.1630-A, J Block, 16th Main Road,
Annanagar West,
Chennai-600 040.

+1 cc to M/s.G.Nagarajan, Advocate, S.R.No.84253

+1 cc to M/s.K.M.Vijayan Associates, Advocate, S.R.No.84072

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JP (CO)
SSM(04/10/2019)