IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :23.09.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO. 21033 OF 2013

Arul Doss .. Petitioner

- Vs -

1. The Director of School Education,
   D.P.I. Compound,
   College Road,
   Chennai 600 006.

2. The Secretary,
   Board of Secondary Examination,
   D.P.I. Compound,
   E.V.K.S. Sampath Maligai,
   Nungambakkam,
   Chennai 600 006.

3. The Secretary,
   Board of Higher Secondary Examination,
   D.P.I. Compound,
   E.V.K.S. Sampath Maligai,
   Nungambakkam,
   Chennai 600 006.

4. The Controller of Examination,
   Annamalai University,
   Annamalai Nagar,
   Chidhambaram Taluk and District.

5. The Secretary & Correspondent,
   (Boompuhar College Melaiyur),
   Hindu Religious and
   Charitable Endowment Department,
   Pattamangalam Street, Opp. Taluk Office,
   Mayiladuthurai, Nagapattinam District. .. Respondents

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Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the respondents to consider the petitioners representation dated 14/03/2012 and 11/07/2013 thereby direct the respondents to correct the date of birth of the petitioner as 04/09/1976

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instead of 25/03/1975 in the mark sheet of S.S.L.C., H.S.C. Degree Certificates and service register issued by the respondents 1 to 4 and appointment order of the petitioner issued by the 5th respondent pursuant to the judgement and decree in O.S.No.354/2010, dated 24/01/2012 on the file of Learned Additional District Munsif, Mayiladuthurai.

For Petitioner : Mr.B.Sundara Pandiyan

For Respondents: Mr.S.Sureshkumar, G.A., (Edn)
for RR1 to 3
: Mr.V.R.Kamalanthan For R4
: Mr.R.Venkatesh, G.A., for HR&CE for R5

ORDER

The writ petition has been filed by the writ petitioner, to direct the respondents to consider the petitioners representation dated 14/03/2012 and 11/07/2013 thereby direct the respondents to correct the date of birth of the petitioner as 04/09/1976 instead of 25/03/1975 in the mark sheet of S.S.L.C., H.S.C. Degree Certificates and service register issued by the respondents 1 to 4 and appointment order of the petitioner issued by the 5th respondent pursuant to the judgement and decree in O.S.No.354/2010, dated 24/01/2012 on the file of Learned Additional District Munsif, Mayiladuthurai.

2.The case of the petitioner is that the petitioner has completed S.S.L.C examination in the year 1993 and completed Higher Secondary examination in the year 1996 and thereafter completed B.A. Degree in Bharathidasan University. Thereafter he joined Post Graduation and completed his M.A. at Annamalai University. The grievance of the petitioner is that originally the petitioner's dated of birth is 4.9.1976 but in all the documents like S.S.L.C., mark sheet , H.S.C mark sheet and Degree mark sheet mistakenly the date of birth is mentioned as 26.3.1975. The petitioner got appointment on 6.1.2009 as Lecturer in the Tamil Department at Poompuhar College, Nagapattinam district. After joining the job, the petitioner became aware of the wrong entry of date of birth as as 26.3.1975 instead of 4.9.1976. Therefore, within the prescribed period, the petitioner made a representation for alteration of his date of birth on 14.3.2012 and the petitioner also field a Suit in O.S.No.354/2010 dated 24.1.2012 on the file of learned District Munsif, Myiladuthurai for alteration of date of birth. The trial Court decreed the suit vide judgment dated 24.01.2012. The petitioner thereafter, made another representation on 11.7.2013 to the respondents. However, the same has not been considered. Hence the present writ petition.

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3.Learned counsel appearing for the petitioner submitted that it would suffice if this Court directs the respondents to consider the petitioner's representation dated 11.7.2013 in the light of the order passed by the trial Court within a time frame as fixed by this Court.

4.On the above contention, this Court heard the learned counsel appearing for the official respondents, who have no objection to such a direction being passed.

5. In view of the limited relief sought for, this Court, without going into the merits of the issue, directs the 1st respondent to consider the petitioner's representation dated 11.7.2013, in accordance with law, within a period of 3 months from the date of receipt of copy of this order, if not considered already.

6.With the above direction, this writ petition is disposed off. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Director of School Education,
   D.P.I. Compound,
   College Road, Chennai 600 006.

2. The Secretary,
   Board of Secondary Examination,
   D.P.I. Compound,
   E.V.K.S. Sampath Maligai,
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5. The Secretary & Correspondent,
   (Boompuhar College Melaiyur),
   Hindu Religious and
   Charitable Endowment Department,
   Pattamangalam Street, Opp. Taluk Office,
   Mayiladuthurai, Nagapattinam District.

+2cc to the Government Pleader, Sr.Nos.31545 & 31278
+1cc to Mr.S.Sundarapandiyan, Advocate, Sr.No.31394
+1cc to Mr.V.R.Kamalanathan, Advocate, Sr.No.31403

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