



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.19243 of 2020

Sudhahar

... Petitioner

Vs.

1.The Secretary,
Tamil Nadu State Board of School Examination,
Nungambakkam,
Chennai-6.

2.The District Education Elementary Officer,
Thanjavur District,
Thanjavur.

3.The Headmaster,
Government High School,
Enathi,puttukkottai Taluk,
Thanjavur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the first respondent to make appropriate correction in the date of birth column of 10th Standard Mark Statement of the petitioner, by which to correct the petitioner's date of birth as 21.01.1990 instead of 20.01.1990, on the basis of the petitioner's representation dated 29.09.2020.

For Petitioner	: Mr.S.Deenadhayalan
For Respondents	: Ms.Lakshmi Prasanna Government Advocate

ORDER

The petitioner has come forward with this Writ Petition, seeking a direction to the first respondent to make appropriate correction in the date of birth column of 10th Standard Mark Statement of the petitioner as 21.01.1990 instead of 20.01.1990, on the basis of the petitioner's representation dated 29.09.2020.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. Ms.Lakshmi Prasanna, learned Government Advocate accepts notice on behalf of the respondents.

4. The case of the petitioner is that the petitioner is a B.Com graduate. His father was working in the Tamil Nadu Electricity Board. Due to sudden demise of his father, the petitioner applied for compassionate appointment to the Tamil Nadu Electricity Board and he has produced all educational certificates. While perusing the



certificates, it was found that in 10th Standard Mark Statement, the date of birth has been mentioned as 20.01.1990. However, 12th Standard Transfer Certificate, Mark Statement, Birth Certificate and College Transfer Certificate, Aadhar Card and Voters Identity Card, his date of birth has been mentioned as 21.01.1990. Hence, it is necessary to rectify the said mistake. Therefore, the petitioner made a representation to the respondents on 29.09.2020. However, the same has not been considered so far. In such circumstances, the petitioner has approached this Court.

5. Learned counsel for the petitioner would submit that it would suffice, if the representation of the petitioner dated 29.09.2020 is disposed of by the first respondent at the earliest after providing adequate opportunity to the petitioner.

6. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider the representation dated 29.09.2020 submitted by the petitioner and to pass appropriate orders in accordance with law, after hearing the petitioner, within a period of one month from the date of receipt of a copy of this order, if there is no legal impediment to do so. The first respondent shall take into consideration of the documents filed before this Court for the purpose of taking a decision with regard to correct the Date of Birth of the petitioner in his 10th Mark Statement from 20th January, 1990 to 21st January, 1990.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

PJL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The Secretary,
Tamil Nadu State Board of School Examination,
Nungambakkam,
Chennai-6.

2.The District Education Elementary Officer,
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Thanjavur.

3.The Headmaster,
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Thanjavur District.

+1CC to M/s.SPL GP,SR.No.27274 dated 28/12/2020

W.P. (MD) No.19243 of 2020
23.12.2020

KMV (CO)
KB(19.01.2021) 3P 5C