



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2020

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD) No. 4015 of 2018

K.Pandiyaraj

... Petitioner

Vs.

1.The Director,
Directorate, School Education Department,
DPI Complex, College Road,
Nungampakkam, Chennai - 600 006.

2.The Secretary,
Tamil Nadu State Board of School Education,
DPI Complex, College Road,
Chennai - 600 006.

3.The District Educational Officer,
Madurai District, Madurai.

4.The Headmaster,
Union Christian Higher Secondary School,
Madurai - 625 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 2 and 3 to change the petitioner's initial in the S.S.L.C Mark Statement and HSC Mark Statement (+2) as well as directing the 4th respondent to change the petitioner's initial and petitioner's father's name in the Transfer Certificate by considering the petitioner's representation dated 05.01.2018 within a stipulated time fixed by this Court.

For Petitioner : Mr.C.Jeyaprakash
For R1 to R3 : Mr.N.Shanmugaselvam
Additional Government Pleader

ORDER

This Writ Petition is filed seeking for a direction, to direct the respondents 2 and 3 to change the petitioner's initial in the

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S.S.L.C Mark Statement and HSC Mark Statement (+2) as well as directing the 4th respondent to change the petitioner's initial and petitioner's father's name in the Transfer Certificate by considering the petitioner's representation dated 05.01.2018.

2. The learned counsel appearing for the petitioner submitted that in the petitioner's school certificates (SSLC and +12 Mark Statements), his initial was wrongly mentioned as G.Pandiayaraj instead of K.Pandiyaraj. Further, the transfer certificate issued by the fourth respondent, his father's name was wrongly stated as K.Ganesan instead of K.Karunanidhi. Therefore, he made a representation to the respondents on 05.01.2018 to correct the aforesaid error in the certificates. So far no steps have been taken. Hence, the petitioner filed this Writ Petition.

3. The learned Additional Government Pleader appearing for the respondent submitted that the petitioner has completed SSLC in the year 2012 and the higher secondary education in the year 2014. After lapse of 6 years, the petitioner made a representation to the respondents on 05.01.2018, for correcting the initial and his father's name in the certificates. He further submitted that the petitioner has to approach the authority concerned for correcting the error in the school days itself. He also filed a counter-affidavit. The relevant contentions of the respondents in the counter affidavit read as follows:

"7. It is submitted the petitioner passed his SSLC examination during March 2012. As per Rule 5 of the Secondary School Leaving Certificate Rules, no corrections can be made after writing the SSLC examination. Any correction in the name, date of birth or initial with regard to school records have to be made before writing the SSLC examination. Admittedly, in this case, the petitioner had applied for change of initial in the educational certificates, after completing his SSLC examination which is prohibited under Rule 5 of the Secondary School Leaving Certificate Rules.

8. It is further submitted that as per the subsidiary Rule 5 of the Secondary School Leaving Certificate Scheme, the request for any correction of date of birth, initial cannot be considered after the pupil had completed school course. According to fact, the declaration given by the parents at the time of entry in the secondary school leaving certificate cannot be altered after a long lapse of time. The subsidiary Rule 5 of the Secondary School Leaving Certificate Scheme held that there is no scope for correcting the initial, once the student left the school. For the abovesaid reasons, respondents is prayed for the dismissal of the writ petition."



Therefore, the petitioner wants to any correction or modification in the transfer certificate or in the mark statements, he has to approach the civil Court and rectify the said errors committed in the certificates issued by the educational authorities.

4. In the light of the contentions of the respondents in the counter-affidavit, this Court is not inclined to pass any order. This Writ Petition is dismissed, with liberty to the petitioner to approach the concerned civil Court to workout his remedy, if he is so advised. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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 Director,
Directorate, School Education Department,
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- 2.The Secretary,
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