



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.23839 of 2021

I.R.Vivek

...Petitioner

-Vs-

1. The Principal Secretary to Government
School Education Department,
Government of Tamil Nadu
Secretariat, Chennai 600 009.

2. The Director of School Education,
DPI Campus, Chennai 600 006.

3. The Director of Government Examinations
DPI Campus, Chennai 600 006.

4. The District Educational Officer
St Thomas Mount, Chennai 600 016.

5. The Principal / Headmaster,
Government Boys Higher Secondary School,
Chromepet, Chennai.
(Suo-motu impleaded by order dated 02.11.2021
by NAVJ)

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to correct the name of the candidate as I.R.Vivek in the X and XII Mark Statements of the petitioner in stead of B.Vivek issued by the third respondent herein.

For Petitioner : Mr.L.P.Shanmugasundaram

For Respondents: Mr.A.Selvendran
Government Advocate

O R D E R

The Principal /Headmaster, Government Boys Higher Secondary School, Chromepet, Chennai is suo-motu added as the fifth respondent in this writ petition. Registry is directed to amend the cause title accordingly.



2. This writ petition has been filed for the issue of a writ of Mandamus directing the respondents to consider the application submitted by the petitioner wherein the petitioner is seeking for correction of his name in the 10th and 12th Standard Certificates from "B.VIVEK" to "I.R.VIVEK".

3. Heard Mr.L.P.Shanmugasundaram, learned counsel appearing for the petitioner and Mr.A.Selvendran, learned Government Advocate appearing for the respondents.

4. The case of the petitioner is that, he was born on 22.06.1998 to one Iyyappan and Ranichandra at Kanyakumari District. It is seen from records that the birth certificate, community certificate that was issued to the petitioner and also the death certificate that was issued after the demise of his father Iyyappan shows that the petitioner was born to the above said Iyyappan. It seems that the petitioner's father died on 14.08.2002 and thereafter the petitioner's mother got married to one Bhuvan Shome. As a result of the same, the initial of the petitioner in the subsequent school records was corrected as "B.VIVEK".

5.The petitioner made a representation in this regard and the fourth respondent, through a reply dated 19.07.2021 informed the petitioner that such a rectification cannot be done after the petitioner has already completed the higher secondary course and has left the school. The other reason that has been assigned by the fourth respondent is that the name of the petitioner was mentioned in line with the particulars that were furnished when the petitioner was doing his 10th and 12th Standard in the concerned school. Aggrieved by the same, the present writ petition has been filed before this Court.

6. This Court has dealt with similar issue in various writ petitions and passed orders and one such writ petition is W.P.No.7060 of 2020 dated 19.08.2020. This Court took into consideration the overwhelming documents that were available and issued directions to the concerned authority to make necessary correction in the mark statement and furnish the corrected mark statement to the concerned petitioners. Similar direction can also be issued in the present case as there are overwhelming materials to show that the natural father of the petitioner is Iyyappan.

7. In view of the above discussion, there shall be a direction to the petitioner to submit his representation to the third respondent along with all the relevant documents and also a copy of this order. The petitioner shall also mark a copy of this representation to the impleaded fifth respondent School. The fifth respondent shall make the necessary corrections in the



school records and furnish the same to the third respondent. The third respondent shall act upon the particulars submitted by the fifth respondent and the necessary changes shall be effected in the name of the petitioner in the 10th and 12th standard mark statements of the petitioner. This process shall be completed by the third respondent within a period of four weeks from the date of receiving the necessary particulars from the fifth respondent. There shall be a further direction to the petitioner to mark a copy of the representation to the fourth respondent also. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

KST

To

1. The Principal Secretary to Government
School Education Department,
Government of Tamil Nadu
Secretariat, Chennai 600 009.
2. The Director of School Education,
DPI Campus, Chennai 600 006.
3. The Director of Government Examinations
DPI Campus, Chennai 600 006.
4. The District Educational Officer
St Thomas Mount, Chennai 600 016.
5. The Principal / Headmaster,
Government Boys Higher Secondary School,
Chromepet, Chennai.

+1cc to the Government Pleader, High Court, Madras S.R.No.57609

W.P.No.23839 of 2021

BR(CO)
RGA(28/12/2021)