



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.16709 of 2021

A.Yasar Kasim

... Petitioner

Vs.

1.The Secretary,
Department of School Education,
Chennai.

2.The Secretary,
Tamilnadu State Board of Education,
Chennai.

3.The Secretary,
Tamilnadu State Board of Higher Secondary Examination,
Chennai.

4.The Headmaster,
Kaja Mian Higher Secondary School,
Subramaniyapuram,
Tiruchy.

5.The Headmaster,
Seventh Day Adventist Matric High School,
Subramaniyapuram,
Trichy.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first and second respondents to correct the petitioner date of birth as 18.05.2003 instead of 18.05.2002 directing them to issue mark statement and transfer certificate with the correct date of birth of the petitioner with in the specified time frame that may fixed by this Court.

For Petitioner : Mr.P.Balasubramaniyan

For R1 to R3 : Mr.S.Kameswaran
Government Advocate

For R5 : Mr.P.Thinesh



ORDER

The petitioner was born on 18.05.2003. There is no dispute about the same. The petitioner studied in the fifth respondent school, namely, Seventh Day Adventist Matric High School at Subramaniyapuram, Trichy.

2.The petitioner, had passed the tenth standard in the year 2018. In the Transfer Certificate, the fifth respondent had given his Date of Birth as 18.05.2002. This is wrong, since the petitioner was born on 18.05.2003.

3.An obligation and direction is placed on the fifth respondent to issue fresh certificate namely, the Transfer Certificate by giving the correct Date of Birth as 18.05.2003.

4..On receipt of that particular certificate, the petitioner may call upon other official respondents to correspondingly change the Date of Birth from 18.05.2002 to 18.05.2003 in any of the other certificates.

5.The fifth respondent is placed in an obligation to issue a fresh Transfer Certificate by giving the correct Date of Birth as 18.05.2003 on or before 10.12.2021.

6.The petitioner may thereafter, workout his remedies with the other respondents. I am confident that the other respondents would favourably consider the request to change the Date of Birth in all necessary educational certificates.

7.With the above observations, the Writ Petition is allowed. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sn/lr

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,
Department of School Education,
Chennai.

2.The Secretary,
Tamilnadu State Board of Education,
Chennai.

3.The Secretary,
Tamilnadu State Board of Higher Secondary Examination,
Chennai.

+1 CC to M/s.SPL GP (SR-35308[F] dated 22/11/2021)

W.P (MD) .No.16709 of 2021
19.11.2021

PS (CO)
TR(30.11.2021) 3P 5C