



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.18617 of 2021

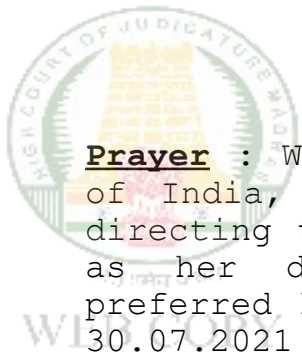
Pothumponnu

... Petitioner

Vs.

- 1.The Director of School Education,
Office of the Director of School Education,
DPI Complex,
College Road,Chennai - 600 006.
- 2.The District Collector,
Office of the District Collector,
Karur,Karur District.
- 3.The Chief Educational Officer,
Office of the Chief Educational Officer,
District Collector Officer Campus,
Karur, Karur District.
- 4.The District Educational Officer,
Office of the District Educational Officer,
District Collector Officer Campus,
Karur, Karur District.
- 5.The Chair Person,
Examination Department,
District Collector Officer Campus,
Karur, Karur District.
- 6.The Assistant Director of Government Examinations,
Office of the Assistant Director of the Government Examinations,
Karur,
Karur District.
- 7.The Head Master,
Kadavur Government High School,
Kadavur,
Karur District.

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents to provide petitioner's name first letter as her daughter's initial by considering the representation preferred by the daughter of the petitioner namely P.Kaviya dated 30.07.2021 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Rajaselvan
For Respondents : Mr.P.Subbaraj,
Counsel for State.

ORDER

This petition is filed by the mother of Kaviya in the capacity of guardian.

2. The petitioner states that Kaviya is studying in the IXth Standard in the seventh respondent School. The petitioner's husband and the petitioner separated more than fourteen (14) years ago and it is stated that he has not provided maintenance either to the petitioner or to the daughter. At the time of admission of Kaviya in the School, her name was mentioned as P.Kaviya, i.e with the mother's name as the initial. All Government records such as the Aadhaar Card, Ration Card and School Identity Card also carry the name P.Kaviya. The present Writ Petition is filed for purposes of ensuring that all education records are issued with the name P.Kaviya.

3. The petitioner relies upon G.O.(Ms).No.60 dated 28.04.2003, whereby three options were provided with regard to the name of a child at the time of admission of such child in a school. One of the permissible options specified therein is to use the mother's name as an initial for the child. The petitioner also relies upon a communication dated 09.08.2021 from the Headmaster of the School citing the above mentioned Government Order.

4. Mr.P.Subbaraj, learned counsel for the State, appears on behalf of respondents 1 to 7. He submits that the first and sixth respondents may be directed to consider the petitioner's representation by taking into account G.O.(Ms).No.60 dated 28.04.2003.

5. The petitioner has enclosed a copy of the Birth Certificate. The said Birth Certificate registers the name of the girl as Kaviya. The name of the mother is recorded therein as Pothumponnu. The name of the father is recorded as Chandrasekar. As stated above, the Aadhaar Card of Kaviya bears the mother's name and the School Identity Card has been issued in the name of P.Kaviya. By taking into account the aforesaid documents as also G.O.(Ms).No.60 dated 28.04.2003, the petitioner has made out a case to consider her representation favorably.



6. It is submitted on behalf of the petitioner that the requested change in the school records be effected quickly so as to ensure that Kaviya is in a position to apply for applicable scholarships. This aspect should be borne in mind by the official respondents while disposing of the representation.

7. Accordingly, W.P.(MD).No.18617 of 2021 is disposed of by directing the first and sixth respondents to consider the representation dated 30.07.2021 and initiate action thereon after taking into account G.O.(Ms).No.60 dated 28.04.2003 as also the observations contained in this order. A reasoned response shall be sent to the petitioner in relation to the representation within a period of thirty (30) days from the date of receipt of a copy of this order. There will be no order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

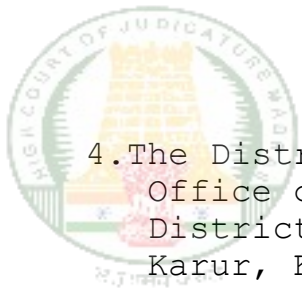
Sub Assistant Registrar(CS)

tsg/nsr

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

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District Collector Officer Campus,
Karur, Karur District.

5.The Chair Person,
Examination Department,
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Office of the Assistant Director of the Government Examinations,
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Karur District.

7.The Head Master,
Kadavur Government High School,
Kadavur,
Karur District.

+1 CC to M/s.SPL.GP (SR-32847[F] dated 27/10/2021)

W.P (MD) No.18617 of 2021
26.10.2021

MGJ/PM(09.11.2021) 4P 9C