



IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.13888 of 2022

K.M.T.Mathumathi

... Petitioner

Vs

1. The Director of School Education
D.P.I. Campus
College Road, Nungambakkam
Chennai - 600 006.
2. The Secretary
State Board of School Examination (Secondary)
D.P.I.Campus, College Road,
Nungambakkam, Chennai - 600 006.
3. The Head Master
Nirmala Girls Higher Secondary School
Ariyalur - 621 704.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to make correction of date of birth as 13.10.1987 instead of existing entry 13.07.1987 in the Transfer Certificate, 10th March list and 12th Mark list issued by the respondents 2 and 3, Serial No.73, Bearing Certificate Serial No.SEC 2210102 with Registration No.334275 and Certificate Serial No.HSG0815167 with Registration No.362497 respectively based on the representation dated 23.05.2022.

For Petitioner : Mr.R.Karthik

For Respondents: Mr.E.Vijay Anand (for R1 & R2)
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondents on 23.05.2022, seeking correction of date of birth in the Transfer Certificate, 10th March list and 12th Mark list issued by the respondents 2 and 3. Since the said representation was not considered, the present writ petition has been filed.



3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 23.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

ars/sri

To

1. The Director of School Education
D.P.I. Campus
College Road, Nungambakkam
Chennai - 600 006
2. The Secretary
State Board of School Examination (Secondary)
D.P.I.Campus
College Road, Nungambakkam
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3. The Head Master
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+2ccs to Mr.R.Karthik Advocate, S.R.No32085

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MT (CO)

<https://hcservices.ecourts.gov.in/hcservices/>
CI 16/06/2022.