



W.P(MD)No.17519 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.07.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.17519 of 2013

M.Riyas

... Petitioner

Vs.

1.The Director of School Education,
DPI Complex, College Road,
Chennai-600 006.

2.The Secretary,
Board of Secretary Education,
Department of Government Examinations,
Chennai-6.

3.The District Educational Officer,
Ramanathapuram District, Ramanathapuram.

4.The Headmaster,
K.J.East Muslim Higher Secondary School,
Paramakudi,
Ramanathapuram District.

... 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 respondent to rectify the petitioner's initial a “M” instead of “B” in his +2 standard mark statement and rectify the petitioner's father name as “Mydeen Beer Ali” instead of Beer Ali in his +2 standard transfer



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certificate by removing the wrong entries made in the petitioner's +2 standard Mark statement and transfer certificate, which was issued by the fourth respondent based on the petitioner's representation, dated 06.08.2013 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.N.Oli Mohamed
For R1 to R3 : Mr.V.Nirmalkumar
Government Advocate
For R4 : Mr.K.MD.Sirajudeen
for Mr.A.S.Mujibur Rahman

ORDER

The present writ petition has been filed seeking a Writ of Mandamus as against the first respondent herein to correct the 10th mark Statement, Higher Secondary Mark Statement and Higher Secondary Transfer Certificate, in which, the name of the petitioner has been wrongly mentioned.

2. According to the learned counsel for the petitioner, his father name is S.Mydeen Beer Ali. However, in the above said three documents, his father's name has been treated as Beer Ali and initial of the petitioner has been mentioned as B.Riyas. Hence, he has filed the present writ petition.



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3. According to the learned counsel for the petitioner, the Community Certificate issued to the petitioner indicates the name of his father as S. Mydeen Beer Ali. The Voter ID Card of the petitioner's father mentions his name as Mydeen Beer Ali. The Aadhar Card of the writ petitioner is shown as Riyas Mydeenbeerali. The Aadhar Card of the writ petitioner's father shows his name as Maideen Beer Ali Seeni Maideen. However, only in the 10th Mark Statement, Higher Secondary Mark Statement and the Transfer Certificate issued by the fourth respondent herein, the initials of the petitioner and the petitioner's father's name have been erroneously mentioned as Beer Ali.

4. However, the learned Government Advocate for the respondents 1 to 3 herein strongly objected for the claim of the petitioner to change the name of his father on the ground that all the documents, produced by the petitioner, are subsequent to the S.S.L.C and Higher Secondary Mark Statements. Hence, the request of the petitioner cannot be considered that too in the year 2013, in which year, the writ petition came to be filed.



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5.I have carefully considered the submissions made on either side.

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6.All the official documents, namely, Community Certificate, Electoral Identity Card, Aadhar Card of the petitioner and his father indicate that the name of the petitioner's father is Mydeen Beer Ali. Only in the documents issued by the educational authorities, the name of the petitioner's father is mentioned as Beer Ali and the name of the petitioner as B.Riyas. In view of the overwhelming documents issued by the statutory authorities, I find that the request of the writ petitioner is sustainable.

7.In view of the above said discussion, the first respondent is directed to issue a fresh S.S.L.C. mark statement and Higher Secondary mark statement to the writ petitioner incorporating the name of the petitioner as M.Riyas instead of B.Riyas. The fourth respondent school is directed to issue a duplicate transfer certificate to the writ petitioner indicating the name of the petitioner's father as Mydeen Beer Ali and name of the petitioner as M.Riyas. The fourth respondent shall issue a duplicate transfer certificate only after changes are effected by the first respondent herein. The first respondent is directed to issue fresh mark



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statements after payment of necessary charges by the writ petitioner,
within a period of eight weeks from the date of receipt of a copy of this
order.

8.With the above said observations, the Writ Petition stands
allowed. No costs.

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Index : Yes / No
Internet : Yes / No
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To

- 1.The Director of School Education,
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R.VIJAYAKUMAR ,J.

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