



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.2712 of 2022

WEB COPY

S.Murugaselvam

... Petitioner

Vs.

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

2.The Secretary,
Tamil Nadu State Board of Secondary Education,
Chennai.

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

4.The Headmaster,
VM Government Boys Higher Secondary School,
Periyakulam,
Theni District.

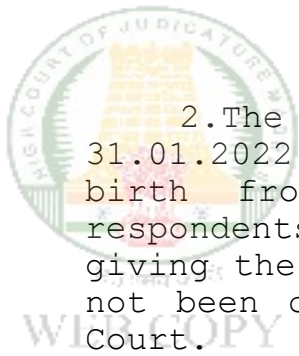
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent direct to the 2nd to 4th respondents to correct the petitioner's date of birth as 16.11.1991 instead of 20.06.1993 directing them to issue mark statement and transfer certificate with the correct date of birth of the petitioner within the specified time frame.

For Petitioner : Mr.T.Nova Napthan
For Respondents : Mr.V.OM Prakash,
Government Advocate

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 2 to 4 to correct the petitioner's date of birth as 16.11.1991 instead of 20.06.1993 and also for a direction to issue mark statement and transfer certificate with the correct date of birth of the petitioner, based on the petitioner's representation dated 31.01.2022, within a time frame to be fixed by this Court.



2.The representation has been given by the petitioner on 31.01.2022 to the respondents seeking for correction of his date of birth from 16.11.1991 to 20.06.1993 and also requested the respondents for issuance of mark statement and transfer certificate giving the correct date of birth. Since the said representation has not been considered till date, the petitioner has approached this Court.

3.As seen from the typed set of documents as well as the affidavit filed in support of the writ petition, the correct date of birth of the petitioner is 20.06.1993. But, in his representation dated 31.01.2022, he has mentioned the correct date of birth as 16.11.1991. The same has been pointed out by the learned Government Advocate for the respondents. Therefore, a fresh representation will have to be given, for enabling the authority concerned to consider the petitioner's representation seeking for correction of the date of birth.

4.The learned counsel for the petitioner has agreed for the same.

5.The learned Government Advocate for the respondents also submits that the representation for correction in the birth certificate, will have to be given to the Chief Educational Officer, Theni District, who is not a party to this writ petition. The said statement is also recorded by this Court.

6.This writ petition is disposed of by granting liberty to the petitioner to give a fresh representation to the Chief Educational Officer, Theni District, seeking for correction of the date of birth of the petitioner as 20.06.1993 instead of 16.11.1991 and to correct the same in the mark statement and the transfer certificate. The petitioner is directed to give a fresh representation to the Chief Educational Officer, Theni District, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the Chief Educational Officer, Theni District, shall pass final orders on merits and in accordance with law, within a period of eight weeks thereafter. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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

2.The Secretary,
Tamil Nadu State Board of Secondary Education,
Chennai.

3.The Secretary,
Tamil Nadu State Board of Higher Secondary Examination,
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4.The Headmaster,
VM Government Boys Higher Secondary School,
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Theni District.

+1. CC to M/S.SPL.GOVERNMENT PLEADER, SR.No. 5735

W.P. [MD]No.2712 of 2022

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