



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.02.2022
CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P. (MD)No.3069 of 2022

L.Indra Arul Mary

... Petitioner

Vs.

- 1.The District Educational Officer,
Tankasi District,
Tenkasi.
- 2.The Director,
Employment and Training,
(Tho.3.Piri)
Guindy, Chennai.
- 3.The Joint Director,
Zonal Training Office,
NGO 'B' Colony,
Perumalpuram Post,
Tirunelveli.
- 4.Mary Sargent Girl's Higher Secondary School,
Through its Correspondent,
Palayamkottai,
Tirunelveli.
- 5.Girls Industrial Training School
Through its Correspondent,
Sivapuram Street,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to accept the spelling mistake of the petitioner's father occurred in the certificates issued by the 2nd respondent in Cutting and Tailoring Certificate as "Lasar" and the Needlwork and Dress Making Embroidery Certificate as "Lazar" instead of "Lazer" and consequently pay the full salary and other monetary benefits as applicable to the Sewing Teacher along with service benefits within the time fixed by this Court.

For Petitioner :Mr.H.Arumugam

For R1 & R2 :Mr.V.Om.Prakash,

Government Advocate



O R D E R

The relief sought for in the present writ petition is to direct the first respondent to accept the spelling mistake of the petitioner's father occurred in the certificates issued by the 2nd respondent, Director of Employment and Training, in Cutting and Tailoring Certificate as "Lasar" and the Needlwork and Dress Making Embroidery Certificate as "Lazar" instead of "Lazer" and consequently pay the full salary and other monetary benefits as applicable to the Sewing Teacher along with service benefits.

2. The grievances of the petitioner is that the 2nd respondent has committed a spelling mistake in the certificate. In view of the mistake, the petitioner is unable to get salary, as the competent authorities are not accepting the genuinity of the certificate and not paying the full salary. Thus, the petitioner is constrained to move the present writ petition.

3. The very relief sought for to direct the respondents to accept the spelling mistake cannot be granted in a writ proceedings. Mistakes in the certificates or in any documents are to be corrected in the manner known to law. The genuinity of the mistake or the correctness of the spellings require an adjudication with reference to the original documents. However, such a process cannot be done by the High Court in a writ proceedings under Article 226 of the Constitution of India. The power of judicial review under Article 226 is to scrutinize the processes through which a decision is taken by the competent authorities in consonance with the statute or not, but not the decision itself. Therefore, in the event of certain disputed facts, an adjudication becomes warranted. Even presumption or otherwise, if any, taken advantage also must be established in the manner known to law. In a Writ proceedings such a roving enquiry cannot be conducted. The very relief is to accept the spelling mistake. Thus the petitioner is of an opinion that the mistake committed by the respondent and for which he cannot be faulted. Even in such circumstances, this Court cannot enter into an adjudication with reference to the spelling mistake or otherwise crept in the original records and therefore, the petitioner is at liberty to redress his grievances in the manner known to law and by following the procedures.

4. With these liberty, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MPK

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Educational Officer,
Tankasi District,
Tenkasi.

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(Tho.3.Piri)
Guindy, Chennai.

3.The Joint Director,
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+1 CC to M/s.SPL GP (SR-6770[F] dated 17/02/2022)

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-6937[F] dated 17/02/2022)

W.P. (MD)No.3069 of 2022

16.02.2022

DP(26.02.2022) 3P 6C