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W.P.(MD)NO.2875 OF 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.2875 of 2017

C.Velmurugan

... Petitioner

Vs.

1. The Tamil Nadu State Board of School Examination,
Rep. By its Secretary,
Department of Examinations,
Chennai – 600 006.
2. The Chief Educational Officer,
Madurai District,
Madurai – 1.
3. The Headmaster,
Muthu Thevar Mukkulathor Higher Secondary School,
Thirunagar,
Madurai – 6.
4. The Commissioner,
Madurai Corporation,
Madurai – 20.
5. The Secretary,
Directorate of School Education,
Chennai-6
(R-5 is suo motu impleaded vide
Order dated 20.06.2022)

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing



respondents 2 and 3 to correct the date of birth of the petitioner as 20.11.1991 instead of 17.04.1991 in the school records pertaining to the petitioner and the first respondent to make corrections issued in the certificate with TMR code No.171734 dated 31.05.2007 on the basis of the Birth Certificate issued by the fourth respondent bearing certificate No.668/1991/THR within the time as fixed by this Court.

For Petitioner : Mr.R.Aravindan

For R-1, R-2&R-5: Mr.V.Om.Prakash,
Government Advocate.

For R-3 : Mr.R.Karunanidhi

For R-4 : Mr.T.S.Mohamed Mohideen

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner is a resident of Thoppur Village, Madurai. He studied in Muthu Thevar Mukkulathor Higher Secondary School, Thirunagar. While joining the school his date of birth was erroneously given as 17.04.1991. The same date of birth figured also in the Higher Secondary School



Leaving Certificate also. The petitioner was actually born on 20.11.1991. A copy of the birth certificate had also been enclosed. To set right the discrepancy between the entry made in the birth certificate and the entry made in the Higher Secondary School Leaving Certificate, the present writ petition has been filed.

3. I am satisfied that the petitioner's actual date of birth is 20.11.1991. It is quite possible that since his parents wanted to put him in a school early, they chose to give his date of birth as 17.04.1991. The petitioner has not committed any violation. Even as on date he has not entered Government service. It is not anybody's case that the petitioner's entry is prior to the permitted age.

4. Therefore, I direct the Secretary, Directorate of School Education, Chennai – 6, to issue order for correcting the date of birth in the school records of the writ petitioner as 20.11.1991. Based on the order to be issued by the impleaded fifth respondent, the first respondent shall carry out necessary corrections in the Higher Secondary School Leaving



Certificate and issue the same to the petitioner. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. This writ petition stands allowed. No costs.

20.06.2022

Index : Yes / No

Internet : Yes/ No

PMU

To:

1. The Tamil Nadu State Board of School Examination,
Rep. By its Secretary,
Department of Examinations,
Chennai – 600 006.
2. The Chief Educational Officer,
Madurai District, Madurai – 1.
3. The Commissioner,
Madurai Corporation, Madurai – 20.
4. The Secretary,
Directorate of School Education,
Chennai-6

G.R.SWAMINATHAN,J.

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20.06.2022