



W.P(MD)No.2334 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2334 of 2021

and

W.M.P.(MD)No.1936 of 2021

G.Sudhakar

... Petitioner

Vs

- 1.The Director,
Department of School Education,
O/o.Department of School Education,
Nungampakkam, Chennai.
- 2.The Secretary,
State Board School Examinations (Sec)
Board of Examination,
Chennai-6, Tamil Nadu.
- 3.The District Educational Officer,
O/o.The District Educational Officer,
Dindigul,
Dindigul District.
- 4.Hindu Nadar Uravinar Periyannayagi Rengasamy
Matriculation Higher Secondary School,
Represented by its Principal,
Nilakottai,
Dindigul District - 624 208.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to change the date of birth of the petitioner as 10.11.1978 instead of 03.09.1978 in the 10th and 12th Mark sheet, School Transfer Certificate and in all other educational records within the time frame stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Athif

For Respondents : Mr.T.Amjad Khan
Government Advocate for R.1 to R.3

No appearance for R.4

ORDER

Heard the learned counsel on either side.

2.The petitioner studied in the fourth respondent School. He cleared 10th standard in the year 1995 and 12th standard in the year 1998. In school leaving certificates as well as the mark statements his date of birth has been mentioned as 03.09.1978. The petitioner states that his actual date of birth is 10.11.1978. He is having the certificate of birth in this regard. Seeking changes, he filed a petition before the respondents.

3.The learned Government Advocate appearing for the respondents 1 to 3 states that the first respondent can make corrections only as regards the date of birth only in the mark statements. Regarding making changes in Transfer



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Certificate, the petitioner has to approach the District Educational Officer for matriculation schools.

4.The learned counsel appearing for the petitioner draws my attention to the decision reported in ***2015 (1) CWC 243 (S.Rajesh Kumar Vs The Secretary, Board of Higher Secondary Education)*** and points out that the petitioner is entitled to seek the same changes. The first respondent is directed to make changes as regards the date of birth in the writ petitioner's mark statements. The petitioner is permitted to file a fresh representation before the jurisdictional District Educational Officer for Matriculation Schools. On receipt thereof the jurisdictional District Educational Officer for Matriculation School shall make necessary changes in the Transfer Certificate.

5.This writ petition is allowed on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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G.R.SWAMINATHAN, J.

MGA

To

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