



W.P.(MD)No.12219 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.12219 of 2021

1.Rajasimman
2.Vanmathi

... Petitioners

Vs.

- 1.The Director,
Directorate of School Education,
D.P.I.Complex,
Chennai.
- 2.The Director,
Directorate of Higher School Education,
D.P.I.Complex,
Chennai.
- 3.The Principal Secretary,
Government of Tamil Nadu,
(Representative of Tamil Nadu Government)
Secretariat,
Chennai.
- 4.The Principal Secretary (Higher Education Department)
Government of Tamil Nadu,
(Representative of Tamil Nadu Government),
Secretariat,
Chennai.
- 5.The Director of Government Examination,
DPI Campus,
College Road,
Chennai – 600 006.

... Respondents



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(R-5 is suo motu impleaded as 5th respondent vide order dated in 28.11.2023 in W.P.(MD).No.12219 of 2021)

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the first respondent pertaining to the impugned proceedings passed by him vide his proceedings in O.Mu.No.061373/M/E3/2020 and O.Mu.No. 061374/M/E3/2020 dated 25.01.2021 and quash the same as illegal and consequently directing the respondents to correct the petitioner's name in +2 Mark Statement in Certificate No.11189832 as Rajasimman instead of Amjadkhan and in 10th and +2 mark statement in Certificate No.6664780 and Certificate No.13471481 of the petitioner's sister's name as Vanmathi instead of Varisha.

For Petitioner : Mr.M.Siddharthan

For Respondents : Mr.P.Thambi Durai
Government Advocate

ORDER

The Director of Government Examination, DPI Campus, College Road, Chennai – 600 006 is suo motu impleaded as the fifth respondent in this Writ Petition.

2. Mr.P.Thambi Durai, learned Government Advocate takes notice on behalf of the impleaded fifth respondent.



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3. This Writ Petition has been filed challenging the impugned proceedings of the first respondent dated 25.01.2021 and for a consequential direction to the respondents to correct the name of the first petitioner in his Higher Secondary Mark Statement as Raja Simman instead of Amjadkhan and in the 10th and 12th Mark Statement of the second petitioner as Vanmathi instead of Varisha.

4. Heard the learned counsel appearing on behalf of the petitioner and the learned Government Advocate appearing on behalf of the respondents.

5. The case of the petitioners is that they belonged to Hindu Community and their original names were Rajasimman and Vanmathi. For a short period, both the petitioners followed Islam and changed their names as Amjadkhan and Varisha. During this period, the first petitioner was in his higher secondary and the second petitioner was studying 10th standard. As a result, the name of the petitioners were mentioned in the Mark Statements as Amjadkhan and Varisha respectively.

6. In the year 2014, the petitioners once again started following Hinduism and hence restored their original names by following the procedure and it was also published in the Tamil Nadu Gazette. In the meantime, since the Mark



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Statements were issued by incorporating the names of the petitioners when they were Muslims, representations were made to the first respondent to make the corrections in the name in the Mark Statements. The said representation was rejected through the impugned proceedings dated 25.01.2021 and the same has been put to challenge in this Writ Petition.

7. On carefully going through the impugned proceedings, it is seen that the first respondent had relied upon some order passed by this Court which is not available. There is absolutely no reason as to why the first respondent has rejected the representation made by the petitioners. It is clear from the records that the original name of the petitioners was Rajasimman and Vanmathi and the same has to be incorporated in their Mark Statements to avoid any confusion in future.

8. In the light of the above discussion, the impugned proceedings dated 25.01.2021 is hereby quashed. There shall be a direction to the impleaded fifth respondent to correct the name of the first petitioner as Rajasimman in the Higher Secondary Course Certificate. Insofar as the second petitioner is concerned, the name shall be corrected as Vanmathi in the Secondary School Leaving Certificate and the Higher Secondary Course Certificate. This process shall be completed by the fifth respondent within a period of eight (8) weeks from the date of receipt of a copy of this order.



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9. This Writ Petition is allowed in the above directions. No costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

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- 3.The Principal Secretary,
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N.ANAND VENKATESH, J.

Nsr

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