



W.P.(MD)No.363 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.363 of 2016

S.Sabeer

... Petitioner

versus

1. The Director,
School Education Department,
College Road,
Chennai.

2. The District Educational Officer,
O/o. the District Educational Officer,
Thallakulam,
Madurai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the first respondent to change the petitioner's date of birth as 21.11.1996 instead of 21.11.1995 as per the petitioner's birth certificate issued by the Madurai Corporation by way of considering his representation dated 16.10.2015.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.C.Baskaran,
Government Advocate



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ORDER

The petitioner has filed this writ petition for a Mandamus directing the respondents to change his date of birth as 21.11.1996 instead of 21.11.1995 as per the birth certificate issued by the Madurai Corporation by way of considering his representation dated 16.10.2015.

2. The case of the petitioner is that he was born on 21.11.1996 and his date of birth has been recorded in the register of Madurai Corporation and a birth certificate was also issued by the Madurai corporation by mentioning his date of birth as 21.11.1996. While filling up an application form for admission in Nehru Middle School, his date of birth has wrongly been mentioned as 21.11.1995. Thereafter, he joined ninth standard at UC Higher Secondary School, Madurai and studied upto 10th standard. However, in his 10th mark sheet and in the transfer certificate, his date of birth has been mentioned as 21.11.1995. When he applied for a passport, the passport



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officials informed him that a different date of birth is mentioned in the birth certificate as well as in the school certificates. Therefore, he made a representation dated 16.10.2015 to the respondents, seeking to alter his date of birth based on the birth certificate issued by Madurai Corporation. Since the respondents have not considered the said representation, he has approached this Court by filing this writ petition.

3. The learned Government Advocate submits that the petitioner himself has recorded in the application form for admission that his date of birth is 21.11.1995. Therefore, it cannot be changed at this moment.

4. This Court considered the rival submissions made.

5. The petitioner, at the time of admission in the Union Christian Higher Secondary School, Madurai, has mentioned his date of birth as 21.11.1995. However, he claims that he was born on 21.11.1996, which is supported by the birth certificate issued by the Madurai



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Corporation. He has also made a representation to the respondents along with the birth certificate issued by the Madurai Corporation.

6. Considering that the petitioner is supported with the birth certificate issued by the Madurai Corporation, the respondents shall consider the petitioner's representation dated 16.10.2015, after ascertaining the genuineness of the birth certificate relied on by him and pass orders thereon, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

02.06.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



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