



W.A.No.1478 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

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1 THE GOVERNMENT OF TAMILNADU
Rep. by Principal Secretary to Government
Higher Education Department
Fort St. George, Chennai – 600009.

2 The Director
Directorate of School Education
DPI Complex, College Road
Chennai – 600006.

.. Appellants

Vs

P.RENUGA DEVI

.. Respondent

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 30.10.2019 passed by the learned Single Judge in W.P.No.28636 of 2019.

For the Appellants : Mr.C.Kathiravan
Special Government Pleader

For the Respondent : No appearance



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JUDGMENT
(Delivered by the Hon'ble Chief Justice)

Heard Mr.C.Kathiravan, learned Special Government Pleader for the appellants.

2. The appellants assail the order passed by the learned Single Judge disposing of the writ petition filed by the respondent herein with a direction against the appellants to correct the date of birth of the respondent.

3. Learned Special Government Pleader submits that once the child has left the school, the correction of date of birth cannot be ordered to be made. Reference is made to the government order dated 20.4.1976.

4. We have considered the said government order dated 20.4.1976. The government order permits alteration of the date of birth even after the student has left the school, if there is an obvious absurd entry or when a civil court directs correction.



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5. In case of obvious mistake, the correction can be directed to be made. The learned Single Judge has observed that the birth certificate issued by the concerned authority indicates that the respondent was born on 12.7.1989, however, the date of birth is wrongly recorded as 12.7.1988 in the school records. It is an inadvertent error on the part of the parents of the respondent. The learned Single Judge held that it would be unnecessary to force the respondent herein to obtain a decree to that effect.

6. We had asked learned Special Government Pleader to produce the original birth record. The same is produced. The year of birth is 1989. It is a case of obvious mistake. The learned Single Judge exercised discretion rationally. When the original birth record also indicates the year of birth as 1989, then the year of birth recorded in the school records as 1988 is an obvious mistake. We do not find any error committed by the learned Single Judge while passing the order.



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The writ appeal, as such, is dismissed. There shall be no order as to costs. Consequently, C.M.P.No.14347 of 2023 is closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
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J.SATHYA NARAYANA PRASAD,J.

(sasi)

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