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W.P.(MD) No.26911 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD) No.26911 of 2024

C.Manimuthu

... Petitioner

-VS-

- 1.The Director of School Education
Directorate of School Education
DPI Campus
College Road
Nungambakkam
Chennai-6
- 2.The State Board of School Education
rep.by its Secretary
Department of Government Examinations
DPI Campus
College Road
Nungambakkam
Chennai-6
- 3.The Joint Director of School Education
Directorate of School Education
DPI Campus
College Road
Nungambakkam
Chennai-6



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4.The District Educational Officer
Sivagangai
Sivagangai District

5.The Head Master
The Government Higher
Secondary School
Anumanthagudi
Sivagangai District

6.The Head Master
The Government Higher
Secondary School
Kannangudi
Sivagangai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 3 to carry out the correction in the petitioner date of birth as 03.07.1989 instead of 07.04.1989 in Secondary School Leaving Certificate (SSLC) in certificate No.2094536, Higher Secondary Course (HSC) in Certificate No.2697660 and School Transfer Certificate issued by the second respondent in the strength of the Birth Certificate issued by the Thasildar, Devakottai, Sivagangai District, on the basis of the petitioner's representation dated 17.10.2024.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.V.Om Prakash
Government Advocate



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ORDER

Mr.V.Om Prakash, learned Government Advocate, takes notice for the respondents.

2. With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed for a direction to the respondents 1 to 3 to correct the petitioner's date of birth as 03.07.1989 instead of 07.04.1989 in the Secondary School Leaving Certificate (SSLC) in certificate No.2094536, Higher Secondary Course Certificate (HSC) in Certificate No.2697660 and School Transfer Certificate issued by the second respondent on the strength of the Birth Certificate issued by the Thasildar, Devakottai, Sivagangai District and on the basis of his representation dated 17.10.2024.

4. The petitioner had completed tenth standard and twelfth standard and obtained transfer certificate from the respective Schools. When he applied for employment, he found that his date of birth has been wrongly



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mentioned as 07.04.1989 instead of 03.07.1989 in his school certificates. The petitioner obtained birth certificate from the Tahsildar, Devakottai, Sivagangai District, wherein his date of birth has been mentioned as 03.07.1989. He obtained passport, wherein also, his date of birth has been mentioned as 03.07.1989. Therefore, seeking to correct his date of birth in the school certificates, he submitted a representation to the respondents on 17.10.2024. Since his representation has not been considered till date, he has filed this writ petition seeking for a direction to the respondents as stated above.

5. This Court, in similar circumstances, by order dated 27.01.2023 in W.P.(MD) No.2334 of 2021 ***[G.Sudhakar vs. The Director, Department of School Education, Nungambakkam, Chennai]***, directed the authority concerned to correct the date of birth of the petitioner therein. The operative portion of the said order reads as follows:

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



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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."

6. A perusal of the birth certificate of the petitioner issued by the Tahsildar, Devakottai, Sivagangai District, shows that the date of birth of the petitioner is 03.07.1989. There is no dispute or quarrel over that. Hence, the above decision is squarely applicable to the case on hand. Therefore, the respondents 1 to 3 are directed to correct the date of birth of the petitioner as 03.07.1989 instead of 07.04.1989, in his Secondary School Leaving Certificate, Higher Secondary Course Certificate and School Transfer



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Certificate and issue fresh certificates to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands allowed. No costs.

12.11.2024

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

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To:

- 1.The Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Nungambakkam,
Chennai-6.
- 2.The Secretary,
State Board of School Education,
Department of Government Examinations,
DPI Campus, College Road,
Nungambakkam,
Chennai-6.
- 3.The Joint Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
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G.K.ILANTHIRAIYAN, J.

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