



W.P.No.25186 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.25186 of 2025

A.Shanaz

... Petitioner

Vs.

- 1.The Director of School Education,
Office of the Director of School Education,
DPI Campus, College Road,
Chennai – 6.
- 2.The Secretary,
Board of Higher Secondary Education,
Department of Government Examinations,
Chennai – 6.
- 3.The Secretary,
Board of Secondary Education,
Department of Government Examinations,
Chennai – 6.
- 4.The Controller of Examinations,
University of Madras,
University Building,
Chennai – 5.
- 5.The Director,
Department of Collegiate Education,
9th Floor, EVK Sampath Buildings,
College Road, Chennai – 6.



W.P.No.25186 of 2025

6.The Dean,

Mohamed Sathak College of Arts and Science,
Sholinganallur,
Chennai – 600 119.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to take action based upon the representation dated 30.04.2025 and consequently direct the respondents to correct the petitioner's date of birth as 04.11.1991 instead of 04.06.1991 in the following above mentioned documents.

For Petitioner : M/s.R.Jayasri

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader
for R1 to R3
No Appearance
for R4
Mr.A.Arumugham
Government Advocate
for R5

ORDER

The instant writ petition has been filed to direct the respondents to take action based upon the representation dated 30.04.2025 and consequently direct the respondents to correct the petitioner's date of birth as 04.11.1991 instead of 04.06.1991 in the following above mentioned documents.



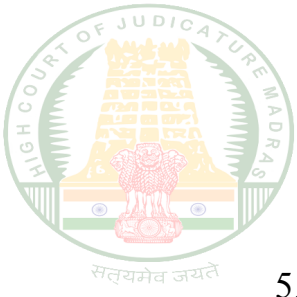
W.P.No.25186 of 2025

WEB COPY

2. The learned counsel for the petitioner would submit that she was born on 04.11.1991 and in the birth certificate as well as in the Aadhar Card, the correct date of birth is mentioned. At the time of admission in the second respondent school, the date of birth was registered erroneously as 04.06.1991.

3. The learned counsel for the petitioner would further submit that she has given representation to the respondents requesting to change the date of birth, for which the third respondent has sent reply stating that as per Subsidiary Rule 5 of the Tamil Nadu Secondary School Leaving Certificate Scheme, an application requesting change of date of birth in the school. After the students had completed the course and appeared for public examination.

4. The learned counsel would further submit that this Court vide order in W.P.No.250 of 2022 dated 03.01.2022 and in W.P.No.18592 of 2025 dated 19.06.2025 has already considered the similar issue and directed the respondents to correct the date of birth.



W.P.No.25186 of 2025

WEB COPY

5. Per contra, the learned Special Government Pleader appearing for the respondents 1 to 3 would submit that as per Rule 5 of the Tamil Nadu Secondary School Leaving Certificate Scheme, the date of birth can only be altered during their study, and after they passed out from the school, they cannot do the same.

6. It is the further submission of the learned Special Government Pleader for the respondents 1 to 3, that the petitioner had numerous opportunity to correct her date of birth during her period of study, whereas, she failed to do so. Therefore, by virtue of G.O.Ms.No.177, School Education (GE) Department, dated 23.12.2021, the respondents cannot make any alterations in the mark sheets. Hence, she prayed for dismiss this writ petition.

7. I have given my anxious consideration to either side submissions.

8. The short point to be considered is whether the respondents have power to alter the correct date of birth. In the case in hand, in order to substantiate the correct date of birth namely 04.11.1991, the petitioner relies



W.P.No.25186 of 2025

WEB COPY

upon his birth certificate issued by the Alandur Municipality. Wherein, the petitioner's date of birth was registered before the Registering Authority on 12.11.1991 immediately after the petitioner's birth on 04.11.1991. Whereas in the mark sheet and the transfer certificate, the date of birth is mentioned as 04.06.1991. While looking at the birth certificate, the petitioner appears to have born on 04.11.1991. Now rejection of the respondent is based upon the Subsidiary Rule 5 of the Tamil Nadu Secondary School Leaving Certificate Scheme. In this regard, it is appropriate to refer the judgment of this Court in W.P.No.18592 of 2025 dated 19.06.2025, wherein, this Court after referring the judgment of the learned Single Judge of the Madurai Bench of this Court in W.P.(MD).No.9340 of 2009 dated 18.09.2012 has held that the authority can substitute the correct date of birth, notwithstanding the above rule.

8. It is not the case of the respondent about filing of any appeal against the above order. Thus the legal position has reached it's finding. It is in this background, it is apparent that the respondents are competent to change the date of birth, if they otherwise satisfied that they have entered the wrong date of birth.

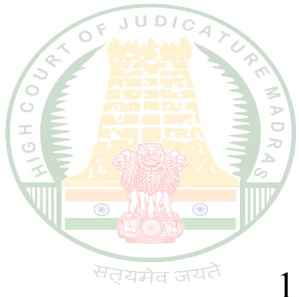


W.P.No.25186 of 2025

WEB COPY

9. In the case in hand, the only impediment is for the respondents is Rule 5 of the Tamil Nadu Secondary School Leaving Certificate Scheme, whereas, as per the above judgment, this Court has already decided that above rule will not impinch upon the power of the respondents to alter the correct date of birth if otherwise satisfied the merit of the application given by the petitioner for the change of date of birth. Therefore, this Court is of the view that the respondents can correct the date of birth subject to the proof and genuinity of the actual date of birth of the petitioner.

10. In view of the same, liberty is given to the petitioner to give a fresh representation to the first respondent along with all required certificates, and if such application is received, the respondents are directed to proceed according to its own merits and in accordance with law and correct the date of birth subject to the proof of the date of birth and the genuinity of the birth certificate, within a period of four weeks, from the date of receipt of a copy of this order.



W.P.No.25186 of 2025

11. In the result, this Writ Petition stands allowed. No costs.

WEB COPY

13.08.2025

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

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To

7/9



W.P.No.25186 of 2025

WEB COPY

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W.P.No.25186 of 2025

C.KUMARAPPAN, J.

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W.P.No.25186 of 2025

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