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W.P.No.31265 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.31265 of 2023

Abirami Belmont

... Petitioner

Vs.

1.The Director,
Directorate of School Education,
DPI Complex,
College Road,
Chennai – 600 006.

2.The Chief Educational Officer,
Office of the Chief Educational Office,
Government Higher Secondary School Campus,
Manjakuppam, Pennaiyar Road,
Manjakuppam,
Cuddalore – 607 001.

3.The Head Misters,
Government Girls Higher Secondary School,
Vridhachalam,
Cuddalore 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 correct the Date of Birth of the petitioner as 18.01.1981, instead of 04.02.1981 in the Educational Certificates, namely Transfer Certificate



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and SSLC Mark Sheet of the petitioner, in light of the G.O.Ms.No.719, dated 20.04.1976, Education Department, in pursuant to the order passed in CMP.No.1300 of 1995 dated 19.04.1995, on the file of the 1st Additional District Munsif, Vridhachalam.

For Petitioner : Mr.B.Balavijayan
For Respondents : Mr.S.Prabhakaran
Government Advocate

ORDER

The present writ petition has been filed directing the respondents to change the date of birth in the Transfer Certificate and SSLC Mark Sheet of the petitioner, as per G.O.Ms.No.719, dated 20.04.1976.

2.It is the contention of the learned counsel appearing for the petitioner that the actual date of birth of the petitioner is 18.01.1981, whereas, in the Transfer Certificate and SSLC Mark Sheet, it has been wrongly mentioned as 04.02.1981. The learned counsel would submit that whenever there is a civil Court decree, then the authority is bound by the same and would further submit that since the petitioner has obtained an order from the learned Judicial Magistrate No.1, Vridhachalam in C.M.P.No.1300 of 1995, the authority namely, the respondents are bound to correct the educational certificates.



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3.Per contra, the learned Government Advocate would strongly object to the above contention, and would contend that the order passed by the learned Judicial Magistrate No.1, Vridhachalam, will not come under the purview of the decree of the civil Court and the respondents are not party in the C.M.P. Apart from that, the date of birth has been registered after 14 years on 22.05.1995 just prior to the issuance of educational certificates. It is the further submission of the learned Government Advocate that the very registration of the date of birth is only based upon the orders of the learned Judicial Magistrate. Therefore, based on such order, the petitioner cannot ask for a Mandamus.

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

5.The main contention put forth by the learned counsel appearing for the petitioner is that by virtue of G.O.Ms.No.719, dated 20.04.1976, the petitioner's date of birth is to be altered as per the Civil Court decree. Admittedly, there is no civil Court decree and no such decree is submitted before this Court. The order filed by the



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learned counsel appearing for the petitioner is, the order of the learned Judicial Magistrate No.1, Vridhachalam in C.M.P.No.1300 of 1995, which cannot be construed as a civil Court decree.

6.Apart from that while looking at the birth certificate, it was registered on 22/May/1995 subsequent to the date of birth given and registered before the School authority. In the case in hand the petitioner based upon the expost facto order received from the learned Magistrate, attempting to change his date of birth. Such conduct can't be permitted as the same would pave the way for manipulation of settled date of birth after a decade, that too based on the document emerged surreptitiously. Hence this Court does not find any merit to issue an order of Mandamus based upon the birth certificate which was registered based on the order of learned Magistrate after a period of 14 years from the date of birth.

7.In the result, the writ petition is dismissed. No costs.

12.08.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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C.KUMARAPPAN,J.
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