



W.P.No.34478 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.34478 of 2025
and
W.M.P.No.38638 of 2025

S.Vigneshwar

.... Petitioner

Vs

1.The Director,
Directorate of Government Examination,
DPI Complex,
College Road, Chennai – 600 006.

2. The Joint Director of School Education,
O/O. The Director of School Education,
DPI Complex, College Road,
Chennai-600 006.

3. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai-600 003.

4. The Head Master,
S.K.D.J. Higher Secondary School,
Thiruverkadu,
Chennai-600 077.

.... Respondents



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Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, praying to call for the records of the 2nd Respondent dated 07.08.2025 in Na.Ka.No.009379/B5(1)/2025 and quash the same and consequently direct the respondents to carry out the correction in respect of the petitioner's date of birth as 30.09.1993 instead of 30.08.1993 in the SSLC Mark statements and other school records.

For Petitioner : Mr.K.G.Senthilkumar

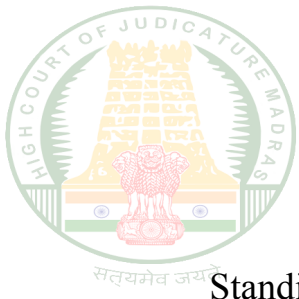
For R1 & R2 : Mr.S.Prabhakaran
Government Advocate

For R3 : Mr.E.C.Ramesh
Standing Counsel

ORDER

This Writ Petition has been filed challenging the order dated 07.08.2025 passed in Na.Ka.No.009379/B5(1)/2025 by the second respondent, thereby rejected the request made by the petitioner to correct his date of birth in the SSLC mark sheet as 30.09.1993 instead of 30.08.1993.

2. Heard Mr.K.G.Senthilkumar, learned counsel appearing for the petitioner, Mr.S.Prabhakaran, learned Government Advocate appearing for the respondents 1 & 2 and Mr.E.C.Ramesh, learned



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Standing Counsel appearing for the third respondent. Perused the materials available on record.

3. The petitioner was born on 30.09.1993. Based on the information provided by the hospital, his birth was duly registered with the Birth and Death Registrar, Zone-V, Corporation of Madras vide Registration No.192. Consequently, a Birth Certificate bearing No.26513 was issued in his favour. However, at the time of admitting the petitioner into school, his parents, being illiterate, inadvertently furnished his date of birth as 30.08.1993 instead of 30.09.1993. On that basis, the petitioner completed his school education his mark sheet was issued showing his date of birth as 30.08.1993. Thereafter, the petitioner submitted a representation seeking correction of his date of birth in the Secondary School Leaving certificate. However, the second respondent directed him to obtain various documents from the schools where he had studied from Standard I to Standard X, along with the endorsement and recommendation from the present Head Master of the school. Ultimately, the request of the petitioner was not considered on the ground that the correction of date of birth is not permitted under Rule 5 of the



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Secondary School Leaving Certificate Rules.

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4. In this regard, the learned counsel appearing for the petitioner relied upon the Judgment of the Hon'ble Supreme Court of India reported in **(2021) 7 SCC 535**, in the case of ***Jigya Yadav (Minor) Vs. Central Board of Secondary Education***, wherein, it was held that the correction or change in the date of birth can be processed and the Board concerned must take immediate steps to amend its bye-laws so as to incorporate the stated mechanism for processing such corrections or changes. He further relied upon the Judgment of his Court in the case of ***S.Rajeshkumar Vs. The Secretary, Board of Higher Secondary Education*** in ***W.P (MD) No.9340 of 2009 dated 18.09.2012***, wherein this Court held as follows :

29. Subsidiary Rule 5 of the Secondary School Leaving Certificate scheme, relied on by the respondents to contend that the application for alteration in the date of birth will not be entertained after a pupil had completed his course or appeared for the S.S.L.C public examination also is much earlier to the advent of the Registration of Births and Deaths Act, 1969 and the rules framed thereunder. Needless to say, that the provisions of any



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Central Act, will prevail over the State Act or the rules and regulations, framed by the latter, on the same subject. When the statutory provision stated supra, enable the competent authorities under the Registration of Births and Deaths Act, 1969, to make correction or cancellation as the case may be, the contention of the respondents that no alteration is permissible in the school records, after the student leaves the secondary education cannot be countenanced.

30. When the statute provides for correction or cancellation of an entry in the register of births and deaths maintained by the Sub Registrar after coming into force of the Act, the said certificate can be relied on for making necessary changes in public records which includes the records maintained in the office of the Director of Government Examinations Chennai. The contention of the respondents that the said correction can be made only before the student leaves the school and not later, cannot be accepted for the reason that any entry in the birth certificate by virtue of registration or alteration or cancellation by the competent authority under the Registration of Births and Deaths Act, 1969, has to be given effect to otherwise, the purpose for registration or alteration or modification would be defeated. There cannot be different entries in the public records



maintained by different authorities, one under the Registration of Births and Deaths Act, 1969 and the other by the educational authorities. The date of birth as entered in the birth extract has to be entered in all the public records uniformly, unless and until any statutory rules, restrict such entry, like in the case of a government servant, governed by the Tamil Nadu State and Subordinate Services Rules. In the light of the above discussion, this Court is not inclined to accept the objections of the educational authorities made on the basis of the Subsidiary rules framed before the introduction of the Central Act, 1969.

31. *In the light of the decision made in W.P.No.9800 of 2009, dated 21.10.2009 in R.Deepak Vs. The Chairman Tamil Nadu Uniform Service Recruitment Board, Chennai and two others, the certificate issued by the competent authority under Registration of Births and Deaths Act, 1969, and other supporting documents relied on by the present writ petitioner has to be considered.*

32. *For the foregoing reasons, the writ petition is allowed. There shall be a direction to the respondents to consider the birth extract and other evidence produced by the petitioner while considering his representation, dated 03.09.2009 and make necessary changes, in the date of birth as 19.01.1975 in the Secondary School Leaving*



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Certificate and the Higher Secondary Course and other certificates. The petitioner is at liberty to make a representation to the respondents along with a copy of this order and that he shall produce the original certificates for making necessary corrections.”

5. It has been followed by this Court and directed the respondent to consider the birth extract and other records of the petitioner while considering his representation and to make necessary corrections in the date of birth in the Secondary School Leaving certificate, the Higher Secondary Course and other certificates.

6. In view of the above, the petitioner is directed to submit fresh representation, along with all required documents as referred to in the order impugned in this writ petition dated 07.08.2025, before the second respondent. On receipt of the same, the second respondent is directed to consider the request made by the petitioner and carry out the correction of his date of birth as 30.09.1993 instead of 30.08.1993, within a period of four weeks from the date of receipt of such representation along with all required documents.



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7. With the above direction, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

No costs.

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Internet : Yes
Index : Yes/No
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To

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Directorate of Government Examination,
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College Road, Chennai – 600 006.

2. The Joint Director of School Education,
O/O. The Director of School Education,
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3. The Commissioner,
Greater Chennai Corporation,
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G.K.ILANTHIRAIYAN, J.

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