



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2025

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THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.47525 of 2025

P.Manimegalai

.. Petitioner

Versus

1.The Assistant Director
Animal Husbandry Department
Coimbatore

2.The Regional Joint Director
Animal Husbandry Department
Coimbatore

3.The Director
School Educational Department
Higher Education
DPI Complex, Nungambakkam
Chennai

4.The Director
School Educational Department
Intermediate Education
DPI Complex, Nungambakkam
Chennai

5.The District Educational Officer (Primary Education)
District Education Office
Government Girls Higher Secondary Campus
Pollachi, Coimbatore District

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 5th respondent's proceedings made in O.Mu.No.2628/A6/2025 dated 25.07.2025 to quash



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the same and consequently direct the 3rd respondent to correct the date of birth of the petitioner in 10th, 12th and Transfer Certificate as 16.10.1994 as per birth certificate instead of 15.11.1994.

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For Petitioner : Mr.Raghu. D
For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

Challenging the order of the fifth respondent rejecting the petitioner's request for rectification of birth certificate with 10th, 12th marksheets and transfer certificate that there is no provision to correct the date of birth in the marksheets/transfer certificate after issuance of Transfer Certificate.

2.The case of the petitioner her father Palaniappan who was working as office assistant at the first respondent office died in harness on 18.09.2023 leaving behind two his daughters, one Kavitha and the petitioner herein as his legal heirs. On 21.10.2024, the petitioner has preferred an application to the first respondent seeking for compassionate appointment, the first respondent has informed the petitioner about the discrepancy with regard to the date of birth in the birth certificate and the 10th, 12th and transfer certificate. Therefore, the petitioner had made a representation to the respondents 2 to 5 for rectification of the date of birth with the correct date of birth. The 5th respondent vide impugned order rejected the request of the petitioner vide impugned order. Challenging the said order, the present writ petition has been filed.



3. The learned counsel for the petitioner submitted that the issue involved in the writ petition is no longer *res integra* and further submitted that already the Hon'ble Apex Court as well as this Court has dealt with similar issue and has held in favour of similarly situated person like the petitioner and in support of his contentions, he relied upon series of decisions, which are as follows:

(i) decision of the Hon'ble Apex Court reported in (2021) 7 Supreme Court Cases 535 (Jigya Yadav (Minor) Vs. Central Board of Secondary Education);

(ii) decision of the Hon'ble Division Bench of this Court in W.A.No.3798 of 2019 (S.Indumathi Vs. The Chief Secretary to Government) dated 09.12.2019;

4. Per contra, the learned Additional Government Pleader submitted that as per Rule 5 of the Secondary School Leaving Certificate Rules, correction of date of birth in School records cannot be entertained after the candidates leave the School and hence the Director and Joint Director of School Education have given written instruction to the Educational Authorities not to entertain alteration of date of birth and alteration in date of birth, if any, has to be made before completing SSLC in the respective Schools. Further, he would submit that in the present case, the petitioner completed his School education much earlier and after lapse of several years, he made representation seeking correction in his date of birth, which cannot be entertained.

5. By consent of both parties, this writ petition is taken up for final



disposal at the admission stage itself. Heard both sides and perused the materials placed on record.

6.The facts are not in dispute. It is the admitted fact that the petitioner completed her School Education much earlier and thereafter she came to know that the date of birth was wrongly entered in the School Leaving Certificate. The petitioner is in possession of the birth certificates issued by the respective public Authorities and based on that, the petitioner made representation to the School Authorities seeking correction in their date of birth in the School records, however, her request was rejected on the ground that there is no provision to correct the date of birth in the marksheets/transfer certificate after issuance of transfer certificate.

7. It is the contention of the learned Additional Government Pleader that as per Rule 5 of the Secondary School Leaving Certificate Rules, correction in the date of birth, name, initial, have to be made before completing SSLC examination and therefore the respondents have no jurisdiction to make correction in the petitioner School records. However, the learned Additional Government Pleader agree that correction in the date of birth, name, initial, can be made by the Educational Authorities, if such application is made before completing SSLC.

8. The very same issue has been dealt with by the Hon'ble Apex Court as



well as this Court. For better appreciation, the relevant portion of the decisions relied upon by the learned counsel appearing for the petitioner is extracted hereunder:

(i) Decision of the Hon'ble Apex Court reported in (2021) 7 Supreme Court Cases

535 (Jigya Yadav (Minor) Vs. Central Board of Secondary Education):

" 194. As regards request for ☐change☐ of particulars in the certificate issued by the CBSE, it presupposes that the particulars intended to be recorded in the CBSE certificate are not consistent with the school records. Such a request could be made in two different situations. The first is on the basis of public documents like birth certificate, Aadhaar card, election card, etc. and to incorporate change in the CBSE certificate consistent therewith. The second possibility is when the request for change is due to the acquired name by choice at a later point of time. That change need not be backed by public documents pertaining to the candidate.

195. In light of the above, in exercise of our plenary jurisdiction, we direct the CBSE to process the applications for correction or change, as the case may be, in the certificate issued by it in the respective cases under consideration. Even other pending applications and future applications for such request be processed on the same lines and in particular the conclusion and directions recorded hitherto in paras 193 and 194, as may be applicable, until amendment of relevant bye-laws. Additionally, the CBSE shall take immediate steps to amend its relevant bye-laws so as to incorporate the stated mechanism for recording correction or change, as the case may be, in the certificates already issued or to be issued by it. ☐

(ii) Decision of this Court in W.P.No.6026 of 2020 (Maullisha N.Y. Vs.

The Director of Government Examinations) dated 10.03.2020:

" ☐3. When the matter was taken up for admission, this Court questioned the learned counsel for the petitioner as to how the respondents can make such corrections after the course is completed. In reply to the same, the learned counsel brought to the notice of this Court a series of judgments passed by this Court on the same issue, wherein, this Court had directed the correction of date of birth. The learned



counsel specifically relied upon the judgment of this Court in W.P.No.23716 of 2014 dated 03.03.2015. The relevant portions in the judgment are extracted hereunder:

5.The very same issue came up for consideration before this Court in W.P.(MD) No.9340 of 2009 dated 18.09.2012. An identical prayer was made to rectify the date of birth in the petitioner's service records. The respondent Government took a stand that in view of Rule 5 of the Tamil Nadu Secondary School Certificate Rules, the request for correction of date of birth cannot be considered after the pupil have left the school. This Court after elaborately considered the Government Orders and taking note of other decisions on the point, allowed the Writ Petition and directed the respondent to consider the birth extracts and other records of the petitioner while considering his representation and making necessary changes in the date of birth as in the Secondary grade School Leaving Certificate and Higher Secondary grade School Leaving Certificate and other certificates. The petitioner therein was given liberty to make representation to the respondents along with the copy of the order. At this stage it would be beneficial to refer to the operative portion of the order.

□27.The Tamil Nadu Registration of Births and Deaths Rules, 2000 have come into force with effect from 01.01.2000. Rule 11, deals with the correction or cancellation of entry in the register of births and deaths under Section 15 and that the same is extracted hereunder:

“11.Correction or cancellation of entry in the register of births and deaths under Section 15:(1)If it is reported to the Registrar that a clerical or formal error has been made in the register or if such error is otherwise noticed by him and if the register is in his possession, the Registrar shall enquire into the matter and if he is satisfied that any such error has been made, he shall correct the error (by correcting or canceling the entry) as provided in section 15 and shall in the case of local authorities specified in column (1) of the Table below, send an extract of the entry showing the error and how it has been corrected to the officer specified in column (2) thereof.

Local Authorities(1) Officers(2) Village Panchayat Village Panchayat President Town Panchayat Executive Officer Cantonment Executive Officer Municipality Commissioner Corporation Commissioner Neyveli Lignite Corporation Chief Health Officer (2)In the case referred to in sub~rule(1), if the register is not in his possession, the Registrar shall



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make a report to the officer specified in the Table in sub~rule (1) and call for the relevant register and after enquiring into the matter, if he is satisfied that such error has been made make necessary correction.

(3)Any such correction as mentioned in subrule(2) shall be countersigned by the officer specified in the Table in sub~rule (1) in this behalf when the register is received from the Registrar.

(4)If any person asserts that any entry in the register of births and deaths is erroneous in substance, the Registrar may correct the entry in the manner prescribed under Section 15 upon production by that person a declaration setting forth the nature of the error and true facts of the case made by two credible persons having knowledge of the facts of the case.

(5)Notwithstanding anything contained in subrules (1) and (4), the Registrar shall make a report of any correction of the kind referred to therein giving necessary details to the officer specified in the Table in sub~rule(1) (6)If it is proved to the satisfaction of the Registrar that any entry in the register of births and deaths has been fraudulently or improperly made, he shall make a report giving necessary details to the officer authorised by the Chief Registrar by general or special order in this behalf under Section 25 and on hearing from him take necessary action in the matter. (7)In every case in which an entry is corrected or cancelled under this rule, intimation thereof should be sent to the permanent address of the person who has given information under section 8 or section 9“.

28.Reading of the statutory provisions makes it clear that the Act provides for correction or cancellation of entry in the register of births and deaths. The decision relied on by the respondents in their counter affidavit rendered in W.P.No.4244 of 1965, dated 26.10.1965 and reported in 1966 MLJ 80, is prior to the introduction of Registration of Births and Deaths Act, 1969 and the rules framed thereunder.

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 Central Act, will prevail over the State Act or the



rules or regulations, framed by the latter, on the same subject. When the statutory provisions 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.As stated supra, as per the birth certificate issued by the Sub Registrar, Thiruvattar enclosed in the typed set of papers, the name of the child entered in the said certificate is S.Rajesh Kumar. The date of birth has been shown as 19.01.1975. 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 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. No costs.

6. The decision referred supra is squarely applicable to the facts of the case on hand and in the instant case, the only ground for rejection is that the petitioner cannot seek for alteration of School Certificates after he has completed the studies. Since similar issue has already been decided by this Court, this Writ Petition has to be necessarily allowed.

4. The learned Government Advocate appearing on behalf of the respondents submitted that Rule 5 of the Tamil Nadu Secondary School Certificate Rules prohibits such alteration of date of birth after the candidate leaves the school and therefore, it will be beyond the jurisdiction of the respondents to make such corrections in the School Leaving Certificate.

5. The objections that have been raised by the learned Government Advocate, have been answered in the judgment that has been cited supra. Apart from the above judgment, this Court is taking a very consistent view that, after coming into the force of the Tamil Nadu Registration of Births and Deaths Rules, 2000 w.e.f. 01.01.2000, such corrections can be carried out in the school records when they are found to be in variance with the birth certificate issued by the competent authority.

6. The judgment that has been cited supra will squarely apply to the facts of the present case.

7. In view of the above, there shall be a direction to the respondents to consider the birth certificate of the petitioner and any other documents produced by the petitioner and deal with the representations made by the petitioner on 07.06.2019 and 27.01.2020 and make necessary changes in the date of birth as 11.12.1999 in the Secondary School Leaving Certificate and the Higher Secondary Course



Certificate. The petitioner is directed to make a fresh representation to the respondents along with a copy of the representations dated 07.06.2019 and 27.01.2020 and a copy of this order. This exercise shall be completed by the respondents within a period of four weeks from the date of receipt of copy of this order. □

9. Perusal of the decisions cited supra makes it clear that Subsidiary Rule 5 of the Secondary School Leaving Certificate scheme, relied on by the learned Additional Government Pleader 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 Central Act, will prevail over the State Act or the rules or regulations, framed by the latter, on the same subject. When the statutory provisions 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.

10. In view of the above, this Court is inclined to extend the same benefit to this petitioner also. Accordingly, the impugned order stands quashed. The respondents are directed to process the application made by the petitioner for making necessary correction in the date of birth in his School records. The petitioner is



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directed to produce the relevant public document to enable the respective School Authorities to make necessary corrections in the School records.

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11. The writ petition is accordingly allowed. No costs.

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Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes

To

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Animal Husbandry Department
Coimbatore

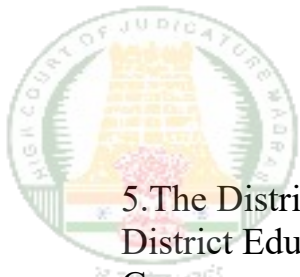
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