



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 8408 of 2026

R.Keerthana

..Petitioner(s)

Vs

1. The Director,
Directorate of School Education,
DPI Complex College Road,
Chennai - 600006.
2. The Director,
Directorate of Government Examinations,
DPI Complex College Road,
Chennai - 600006.
3. The Deputy Director (Secondary Education),
Directorate Of Government Examinations,
DPI Complex College Road,
Chennai - 600006.

..Respondent(s)

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus Calling for the records relating to the impugned order dated 02.02.2026 vide proceedings in Na.Ka.No. 201040/B5(3)/2026 on the file of the 3rd Respondents, quash the same and consequently direct the Respondents to rectify the Petitioner's date of birth as 12.10.1997 instead of 12.06.1997 in her 10th marksheet dated 04.06.2012 bearing certificate No. 0468779 and 12th marksheet dated 09.05.2014 bearing Certificate No. 8913350.



For Petitioner(s): Mr.PA.Saigovindaraja

For Respondent(s): Ms.Mythreye Chandru,
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the order passed by the 3rd respondent, in and by which, the petitioner's request seeking to rectify the Petitioner's date of birth as 12.10.1997 instead of 12.06.1997 in her 10th and 12th standard marksheet was rejected.

2. It is the case of the petitioner that she was born on 12.10.1997 whereas, her date of birth was wrongly entered in her educational certificates as 12.06.1997. In order to rectify the same, the petitioner submitted a representation dated 27.01.2026 to respondent nos.1 & 2 seeking change of date of birth in the educational certificates, however, the same was rejected vide impugned order dated 02.02.2026. Aggrieved by which, the present Writ Petition has been filed.

3. When the matter is taken up, learned counsel appearing for the petitioner submitted that the issue involved is no longer *res integra* as the similar issue was already dealt with by this Court in W.P.No.31656 of 2024 dated 19.08.2024 wherein it is held that the date of birth can be altered in the SSLC mark sheet as well as in the HSC mark sheet, as the Registration of birth



and Death Act, 1969 was enacted subsequent to Rule 5 of the Secondary School Leaving Certificate Scheme which mandates a bar for such alteration.

Therefore, it is prayed that this Court may extend the very same benefit to the petitioner herein as well. Accordingly, he prayed for allowing the Writ Petition.

4. For better appreciation, the relevant portion of the order is extracted hereunder:-

*6. The issue involved in the case is no longer resintegra. This Court vide order dated 19.06.2025 in W.P.No.18592 of 2025, after following the judgement of this Court in (MANU/TN/5960/2012) in the case of **S.Rajesh Kumar Vs.The Secretary, Board of Higher Secondary Education, Department of Government Examinations and others**, has ultimately held that the date of birth can be changed in the SSLC mark sheet as well as in the HSC mark sheet, as the Registration of birth and death Act 1969, the Central Act and was enacted subsequent to the Rule 5 of the Secondary School Leaving Certificate Scheme and alteration is permissible.*

7. For ready reference, this Court deems it appropriate to extract paragraph Nos. 8 to 13 of the order passed in W.P.No.18592 of 2025, as under:

“8. The issue revolves around in the present writ petition is whether the petitioner is entitled to correct the date of birth which was wrongly entered in the Secondary School Leaving Certificate and Higher Secondary School Mark Sheet? The only objection put forth by the respondents is as per Rule 5 of the Secondary School Leaving Certificate Scheme, such alteration will not be entertained.

9. In this connection, a judgment of a learned Single Judge of this Court in



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S.Rajesh Kumar vs. The Secretary, Board of Higher Secondary Education, Department of Government Examinations and Ors reported in (MANU/TN/5960/2012) has held that Rule 5 of the Secondary School Leaving Certificate Scheme was enacted prior to the advent of the Tamil Nadu Registration of the Births and Deaths Act, 1969 (herein after referred as 1969 Act) and the rules framed thereunder.

10. The learned counsel for the petitioner would state that in 1969 Act, when there is a provision for alteration or correction of the date of birth, the subsidiary Rule 5 of the Secondary School Leaving Certificate Scheme which was enacted prior in point of time cannot have any binding force. In this connection, it is appropriate to extract para 29 of the above referred to judgment as under:

“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



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Respondents that no alteration is permissible in the School records, after the student leaves the Secondary Education cannot be countenanced.”

11. In this case, to substantiate the date of birth, the petitioner has given her Birth Certificate, wherein. her birth date is referred as 27.07.2007 and it is also relevant to record that the birth of the petitioner was registered on the very same day on her birth.

*12. While looking at the defence in the impugned order, dated 01.04.2025, the respondents have not challenged the authenticity of the mark sheet however, their rejection is based solely on the point that the earlier record of the petitioner did not reflect the date of birth as 27.07.2007. Therefore, when the petitioner's date of birth has been substantiated by submitting the Birth Certificate, the rejection of the respondents by referring the subsidiary Rule 5 of the the Secondary School leaving Certificate Scheme is contrary to the Judgment of a learned Single Judge of this Court in **S.Rajesh Kumar's** case cited *supra*.*

13. Hence, this Court is of the firm view that the impugned proceedings dated 01.04.2025 is liable to be quashed. Accordingly, the impugned proceedings dated 01.04.2025 is quashed.”

*8. In view of the above referred to decision (cited *supra*) and that an identical issue was raised in the writ petition in W.P.No.18592 of 2025, this court holds that the petitioner is entitled to the relief prayed for. Accordingly, this Writ Petition is allowed. The 1st respondent is directed to correct the date of birth of the petitioner in the educational certificate as 24.07.1990 instead of*



24.05.1990 subject to the genuinity of the birth certificate of the petitioner, within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

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5. In view of the aforesaid decision, which is squarely applicable to the facts of the present case, the petitioner is entitled to grant of relief as prayed for. Accordingly, this Writ Petition is allowed and the impugned order dated 02.02.2026 is hereby quashed. The petitioner is directed to submit a copy all the relevant documents necessary for change of date of birth to the 1st respondent within a period of two (2) weeks from the date of receipt of a copy of this order and upon receipt of the same, the 1st respondent is directed to correct the date of birth of the petitioner in the Educational certificates as 12.10.1997 instead of 12.06.1997 subject to the genuinity of the birth certificate of the petitioner within a period of eight (8) weeks thereafter. There shall be no order as to costs.

02-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

NHS



To

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M.DHANDAPANI, J.

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