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W.P. No.41039 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2025

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.41039 of 2025

A.Dhanush
S/o.Arul, No.6 Vivekanandhar Nagar,
10th Cross Street, Pallikaranai,
Sholinganallur, Chennai 600100.

Petitioner(s)

Vs

1.The Director,
Directorate of School Education,
DPI Campus, College Road,
Nungambakkam, Chennai 600006.

2.The State Board of School Education,
Rep. By its Secretary,
Department of Government Examinations,
DPI Campus, College Road,
Nungambakkam, Chennai 600006.

3.The Joint Director,
Directorate of School Education,
DPI Campus, College Road,
Nungambakkam, Chennai 600006.

4.The Head Master,



W.P. No.41039 of 2025

Mother Matriculation Higher Secondary School,
Pallikaranai, Chennai 600100.

5. The Head Master

Mother Matriculation Higher Secondary School,
Velachery, Chennai 600042.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings in R.C.No.205714/B5(1)2025 dated 14.05.2025, quash the same and consequently direct the respondents to correct the petitioner's date of birth as 04.12.2025 in the SSLC and Higher Secondary mark sheets and issue fresh certificates.

For Petitioner(s) : Ms.P.Lavanya
for Mr.T.Saravanan

For Respondent(s) : Mr.A.M.Ayyadurai
1 to 5 Government Advocate

ORDER

The petitioner has filed this writ petition to quash the proceedings in R.C.No.205714/B5(1)/2025 dated 14.05.2025 passed by the 3rd respondent and to consequently direct the 3rd respondent to correct the petitioner's date of birth as 04.12.2025 in the 10th and 12th standard mark sheets and issue



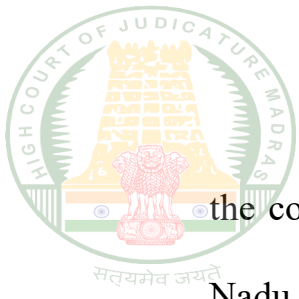
W.P. No.41039 of 2025

fresh certificates and pass such further or other orders.

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2. I perused the affidavit filed in support of the writ petition and heard the learned counsel appearing on behalf of the writ petitioner. The grievance of the petitioner is that his actual date of birth is 04.12.2005 and a birth certificate to that effect is also issued by the Government of Tamil Nadu, Department of Revenue Administration, Kurumbur Village Panchayat under Section 12 of the Registration of Births and Deaths Act, 1969 in Certificate No.B-2023:33-852-000001 dated 13.07.2023. Petitioner's Aadhaar card also carries the said date of birth. However, while giving the date of birth to the school authorities, an error had crept in, instead of 04.12.2005 it is mentioned as 24.12.2005. It can only be by way of oversight/ typographical error wherein while typing "zero (0)", number "two (2)" has been typed, therefore, the petitioner has made an application to correct the date of birth in the certificates, however, by the impugned order the same was rejected. Hence, the petitioner is before this Court.

3. A counter affidavit is duly filed by the respondents. According to the learned Government Advocate appearing on behalf of the respondents,



W.P. No.41039 of 2025

the correction relating to date of birth is dealt with by Rule 5 of the Tamil Nadu Secondary School Leaving Certificate Rules and as per the same, applications requesting change of date of birth in the certificate must not be entertained after the student had completed the School course and appeared for Public examinations. Therefore, the application filed by the petitioner has rightly been rejected by the authorities.

4. I have considered the rival submissions made on either side and perused the material records of the case.

5. Firstly, it can be seen that the correction in date of birth that is now sought is from 24.12.2005 to 04.12.2005, i.e., there is a difference in the letter “zero(0)” to “two(2)”. Secondly, the error leads to a difference in 20 days. Thirdly, the petitioner is not in any government employment, neither will he be precluded from taking the 10th or 12th standard examination on the relevant date, if the date of birth is altered. The only reason that can be seen is that the petitioner’s date of birth in the birth certificate is different from that in the education certificate. In that case, it will be difficult for the petitioner to apply for VISAs and to undertake any work abroad. It is in this

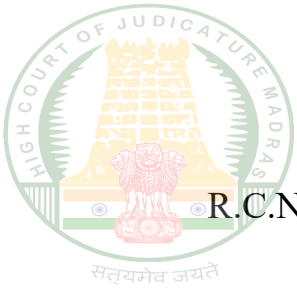


W.P. No.41039 of 2025

context, to put the record straight the relief is prayed for. It is innocuous in nature. The birth certificate that is produced is authentic, there is no ground to doubt the same. When the mistake has occurred even though on the part of the petitioner, the law would lean in favour of correcting the mistake full. It is true that there is a rule that normally such mistakes have to be corrected before the student completes the course and therefore no exception whatsoever can be taken for the school authority/ respondent authority in rejecting the same. However, in view of the grave prejudice that is pleaded, unless the mistake is corrected, it will result in miscarriage of justice. After all, persons like the petitioner go abroad only to earn foreign exchange and to eke out a lawful livelihood. The Court as well as the authorities are always required to lean in favour of helping such petitioners for leading a lawful life.

6. In view of the extraordinary facts and circumstances of this case that the petitioner is not going to be unduly benefited by the correction in date of birth and the correction in date of birth is genuinely needed, this writ petition is allowed on the following terms:

- i) The impugned order dated 14.05.2025 bearing Reference No.



W.P. No.41039 of 2025

R.C.No.205714/B5(1)2025 passed by the 3rd respondent is set aside.

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ii) The 3rd respondent is directed to carry out the corrections in the 10th standard and 12th Standard certificate as prayed for by the petitioner and issue fresh certificates either by making a due endorsement in the same certificates or by a fresh print out as the case may be.

iii) The said exercise shall be completed within a period of three months from the date of receipt of a copy of this order. No costs.

03.12.2025

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Neutral Citation: Yes/No



W.P. No.41039 of 2025

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W.P. No.41039 of 2025

D. BHARATHA CHAKRAVARTHY, J.

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W.P. No.41039 of 2025



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W.P. No.41039 of 2025

03.12.2025