

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

FRIDAY ,THE 28TH DAY OF SEPTEMBER 2018 / 6TH ASWINA, 1940

WP(C).No. 31732 of 2018

PETITIONER/S:

UDITH G MENON  
S/O GIRIDHARAN M.S, MANAKKATTU, KULLAYATTIKKARA  
P.O, KEECHERY VILLAGE, KANJIRAMATTOM, ERNAKULAM,  
PIN 682315, REPRESENTED BY HIS MOTHER RESSEENA  
V.B, AGED 38 YEARS, W/O GIRIDHARAN M.S,  
DO DO

BY ADV. SRI.M.R.NANDAKUMAR

RESPONDENT/S:

- 1 THE DIRECTOR CENTRAL BOARD OF SECONDARY  
EDUCATION  
REGIONAL OFFICE, THIRUVANANTHAPURAM, PIN 695004
- 2 THE PRINCIPAL,  
BHAVAN'S NEWSPRINT VIDHYALAYA, VELLOOR,  
KOTTAYAM DISTRICT, PIN-686610.

BY ADV. SRI.NIRMAL S., SC, CBSE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
28.09.2018, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**J U D G M E N T**

This writ petition is filed seeking the following reliefs:-

- “i. Issue a writ in the nature of certiorari or other appropriate writ, order or direction to call for the records leading to Ext.P10 and quash the same.*
- ii. Issue a writ in the nature of mandamus or any other appropriate writ, order or direction directing the respondent CBSE to peruse the records relating to Ext.P10 rejection letter and take emergent and speedy steps and action for the correction of the mother's name of the petitioner in his school records.”*

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the first respondent- CBSE.

3. It is submitted by the learned counsel for the petitioner that the petitioner's mother's name was wrongly recorded in the CBSE Certificate issued. It is stated that the name of the petitioner's mother in Ext.P1 Birth Certificate as well as Ext.P8 One and the Same Certificate would show that Resseena.V.B. and Seena Giridharan are one and the same person. It is stated that seeking the correction of the entry in the certificate, the petitioner has approached the respondents. However, by Ext.P10 communication, the request has been rejected stating that the change can be considered only if it is admitted by a Court of law and notified in the Government Gazette before the publication of the result of the candidate.

4. The learned Standing Counsel appearing for the respondent would contend that since what is being sought for is the correction of the name of the mother based on the records produced and since there is no correction in the name of the candidate, the Notification in the Gazette need not be insisted. It is also submitted by the learned counsel for the petitioner that all supporting documents are submitted before the respondents and the application is therefore liable to be considered without insisting on the publication in the Official Gazette.

5. Having considered the contentions advanced, I am of the opinion that since what is involved is only the correction of the mother's name of the petitioner, the same can be directed to be considered taking note of Ext.P8 One and the Same Certificate. The contention in Ext.P10 that notification in the Gazette is necessary, is not sustainable in view of the fact that the alternate name is also duly shown in all the documents including Ext.P1 Birth Certificate.

6. In the result, Ext.P10 is set aside. There will be a direction to the respondents to take up, consider and pass appropriate orders on the request made by the petitioner for correction of the name of the petitioner's mother in the CBSE Certificates without insisting on publication with regard to

the same, taking note of the documents produced. Orders shall be passed within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is ordered accordingly.

Sd/-

**ANU SIVARAMAN,  
JUDGE**

MBS/

**APPENDIX**

**PETITIONER'S/S EXHIBITS:**

EXHIBIT P1	A TRUE COPY OF THE BIRTH CERTIFICATE ISSUED BY CORPORATION OF COCHIN DATED 4.4.2017.
EXHIBIT P2	A TRUE COPY OF THE SECONDARY SCHOOL EXAMINATION CERTIFICATE DATED 29.5.2018.
EXHIBIT P3	A TRUE COPY OF THE FIRST PAGE OF SECONDARY SCHOOL LEAVING CERTIFICATE ISSUED IN FAVOUR OF THE MOTHER OF THE PETITIONER DATED 31.3.1995.
EXHIBIT P4	A TRUE COPY OF THE IDENTITY CARD ISSUED BY THE ELECTION COMMISSION IN FVOUR OF THE MOTHER OF THE PETITIONER DATED 17.1.2013.
EXHIBIT P5	A TRUE COPY OF THE PAN CARD ISSUED IN FAVOUR OF THE MOTHER OF THE PETITIONER AND THERIN THE NAME OF THE MOTHER OF THE PETITIONER IS SHOWN AS RESSEENA V.B. DATED 18.5.2011.
EXHIBIT P6	A TRUE COPY OF THE RATION CARD WHEREIN THE NAME OF THE MOTHER OF THE PETITIONER IS SHOWN AS RESSEENA DATED 15.3.2017.

:-5-:

EXHIBIT P7

A TRUE COPY OF THE AADHAR CARD OF THE MOTHER  
OF THE PETITIONER IS SHOWN AS RESSEENA.V.B.  
DATED 27.9.2012.

EXHIBIT P8

A TRUE COPY OF THE ONE AND THE SAME  
CERTIFICATE ISSUED BY THE VILLAGE OFFICER OF  
KEECHERI VILLAGE DATED 23.3.2017.

EXHIBIT P9

A TRUE COPY OF THE CERTIFICATE ISSUED BY THE  
NOTARY, STATING THAT SEENA GIRIDHARAN AND  
RESSEENA V.B IS ONE AND SAME PERSON DATED  
7.6.2018.

EXHIBIT P10

THE APPLICATION SUBMITTED BY THE PETITIONER  
FOR THE CORRECTION HAS BEEN REJECTED BY THE  
1ST RESPONDENT DATED 13.8.2018.

-true copy-

P.S.TO JUDGE