
(2021) 01 KL CK 0213

In the High Court Of Kerala

Case No : Writ Petition (C) No. 23780 Of 2020

Salini Devi

APPELLANT

Vs

State Of Kerala And Ors

RESPONDENT

Date of Decision : 06-01-2021

Acts Referred:

Citation : (2021) 01 KL CK 0213

Hon'ble Judges : Anu Sivaraman, J

Bench : Single Bench

Advocate : Joy Thattil Ittoop, Bijish B. Tom, Jacob Tomlin Varghese, Baby Sonia, Unnikrishna Kaimal

Judgement

1. This writ petition is filed seeking the following reliefs:-

â??(i) Issue an order declaring that the petitioner's caste is Hindu-Chamar and that the petitioner belongs to a Scheduled Caste in Uttar Pradesh.

(ii) Issue a writ of mandamus or any other appropriate writ, order or direction of the nature of mandamus, directing the respondents to

allow Ext.P14/application to correct the petitioner's SSLC Book, to incorporate her correct caste and Schedule Caste status, by a gazette

notification.â??

2. Heard the learned counsel for the petitioner and the learned Government Pleader.

3. It is submitted by the learned counsel for the petitioner that the petitioner belongs to the 'Hindu - Chamar' community. Exts.P2 and P3 are the

certificates in respect of the petitioner's parents. Exts.P4 and P11 are the certificates issued by the Revenue officers in respect of the petitioner. It is

submitted that while admitting the petitioner to a school in Kerala, the caste was wrongly recorded as 'Hindu-Goutham', which was carried forward

into the petitioner's School Leaving Certificate as well. The petitioner has submitted an application for correction of the entry in the S.S.L.C Book

producing all relevant records. It is submitted that the said request is now pending before the 3rd respondent, who has to take an appropriate decision

on the same in terms of Rule 3 to Chapter VI of the KER.

4. It is submitted by the learned Government Pleader that the request of the petitioner will be considered in accordance with law.

5. Having considered the contentions advanced on either side, I am of the opinion that the 3rd respondent, who is the competent authority in terms of

Rule 3 of Chapter VI, KER, is liable to be taken an appropriate decision on the request made by the petitioner for correction. Since it is not disputed

that the application for correction of the caste recorded in the S.S.L.C certificate has been forwarded through the Headmistress of the school where

the petitioner was studying, the 3rd respondent is liable to be take an decision thereon, without delay.

6. There will, accordingly, be a direction to the 3rd respondent to take up the request made by the petitioner for correction in the S.S.L.C Book and to

pass appropriate orders on the same within a period of three weeks from the date of receipt of a copy of this judgment.

This writ petition is ordered accordingly.