
(2010) 08 KL CK 0314

In the High Court Of Kerala

Case No : Writ Petition (C) No. 25910 of 2010 (K)

Vishnu A.

APPELLANT

Vs

The Cetnral Board of Secondary Education and Others

RESPONDENT

Date of Decision : 31-08-2010

Acts Referred:

Citation : (2010) 08 KL CK 0314

Hon'ble Judges : Antony Dominic, J

Bench : Single Bench

Advocate : P. Shyni, for the Appellant; C. Rasheed, CGC, for the Respondent

Judgement

Antony Dominic, J.—Heard both sides.

2. Grievance of the petitioner is regarding Ext.P3 order dated 13/04/2010 passed by the 1st respondent rejecting an application made by the petitioner for correction of his date of birth and the name of his mother in the school records. A reading of Ext.P3 shows that the request has been rejected mainly relying on Rule 69.2 of the Examination Bye-Laws of the Board.

3. Dealing with identical contentions raised by the CBSE relying on the aforesaid provisions, a Division Bench of this Court has rendered Ext.P4 judgment dated 05/08/2009 in W.A. No. 1948/2008 & connected cases. If the principles laid down in Ext.P4 judgment are to be applied, necessarily, the claim of the petitioner deserves consideration on merits. Since such a consideration was not given to the request of the petitioner, Ext.P3 deserves to be set aside and I do so. The 4th respondent is directed to reconsider the application of the petitioner in the light of Ext.P4 judgment rendered by this Court in WA No. 1948/2008 & connected cases and pass fresh orders in the matter as expeditiously as possible, at any rate, within six weeks of production of a copy of this judgment, along with a copy of this writ petition.

It is made clear that it will be open to the 3rd respondent to call upon the petitioner to produce any additional document as he deems fit.

This writ petition is disposed of as above.