

Soloman Benny, vs the Controller of Examinations.,

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Court : Kerala

Decided On : Apr-28-2023

Judge : Honourable Mr.Justice Murali Purushothaman

Appeal No. : WP(C)/12627/2023

Appellant : Soloman Benny,

Respondent : The Controller of Examinations.,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN TUESDAY, THE 2ND DAY OF MAY 2023 / 12TH VAISAKHA, 1945 WP(C) NO. 12627 OF 2023 PETITIONER/S: SOLOMAN BENNY, AGED 26 YEARS S/O BENNYMON, THOLANIKKAL HOUSE, THOLANIKKAL HOUSE, KOOROPPADA P.O., KOTTAYAM, KERALA 686 502 BY ADV P.I.GEORGEKUTTY RESPONDENT/S:

1 THE CONTROLLER OF EXAMINATIONS, CENTRAL BOARD OF SECONDARY EDUCATION, SHIKSHA KENDRA, 2, COMMUNITY CENTRE PREET VIHAR, DELHI - 110092. 2 CENTRAL BOARD OF

SECONDARY EDUCATION, REGIONAL OFFICE, 1630A, J BLOCK, ANNA NAGAR (WEST), CHENNAI- 600040, REPRESENTED BY IT'S SECRETARY *3 SANTHA MARIA PUBLIC SCHOOL & JUNIOR COLLEGE KOOROPPADA, KOTTAYAM, KERALA 686502 REPRESENTED BY IT'S HEAD MASTER 4 GIRIDEEPAM BETHANY CENTRAL SCHOOL BETHANY HILLS, VADAVATHOOR P.O, VIJAYAPURAM VILLAGE, KOTTAYAM, KERALA -686010 , REPRESENTED BY IT'S PRINCIPAL (*ADDITIONAL R3 & R4 ARE IMPEADED AS PER ORDER DATED 13.04.2023 IN I.A.1/2023 IN WP(C)12627/2023) *5 THE REGIONAL OFFICE OF CBSE PATTOM P.O, THIRUVANANTHAPURAM, 681090 REPRESENTED BY IT'S SECRETARY REGIONAL OFFICER (*ADDL.R4 IS IMPEADED AS PER ORDER DATED 28.04.2023 IN I.A.NO.4/2023) BY ADVS. SRI.NIRMAL S., SC, CBSE Georgekutty ASHIK TOM THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON

02.05.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C) NO. 12627 OF 2023 ..2..

JUDGMENT

Ext.P6 application of the petitioner for correction of date of birth and names of his parents in the school records is pending consideration before the 2 nd respondent. The petitioner seeks a direction to the 2 nd respondent to consider the same expeditiously.

2. Heard the learned counsel for the petitioner and the learned standing counsel for the respondents 1 and 2.

3. In the facts and circumstances of the case and

having regard to the submissions made across the Bar, there will be a direction to the petitioner to submit necessary application for correction of date of birth and names of his parents in the school records with relevant documents, afresh, before the additional respondents 3 and 4 within two weeks from today along with a copy

of this judgment and the additional respondents 3 and 4 WP(C) NO. 12627 OF 2023 ..3.. shall forward the same to the 2 nd respondent within a period of two weeks from the date of submission of the application. On receipt of the same, the 2 nd respondent shall consider the applications in accordance with law, within a period of two months thereafter. The submission of the petitioners counsel that the petitioner will not act upon Ext.P11 is recorded. It is made clear that this Court has not expressed any opinion on the merits of the application. The writ petition is disposed of accordingly. Sd/- MURALI PURUSHOTHAMAN JUDGE SB WP(C) NO. 12627 OF 2023 ..4.. APPENDIX PETITIONER EXHIBITS Exhibit P1 THE TRUE COPY OF THE BIRTH CERTIFICATE, ISSUED FROM THE SULTHAN BATHERY GRAMA PANCHAYATH, DATED 22.11.2012 Exhibit P2 THE TRUE COPY OF THE PASSPORT FOR THE PERIOD 09.07.2014 TO 08.07.2024 Exhibit P3 THE TRUE COPY OF THE AADHAAR WITH NUMBER 4569 8684 6577, DATE NIL Exhibit P4 TRUE COPY OF THE PAN NO. EZGPB5174P Exhibit P5 GRADE SHEET CUM CERTIFICATE OF PERFORMANCE

(10TH CLASS) WITH ROLL NO. 4161951, ISSUED BY THE CONTROLLER OF EXAMINATIONS, CENTRAL BOARD OF SECONDARY EDUCATION, DELHI DATED 26.05.2013

Exhibit P6 THE TRUE COPY OF THE REQUEST MADE BY THE PRINCIPAL, DATED 09.07.2013 Exhibit P7 THE TRUE COPY OF THE REQUEST MADE BY THE FATHER OF THE PETITIONER DATED 22.07.2013 Exhibit P8 TRUE COPY OF THE CERTIFICATE WITH ROLL NO. 4809133, ISSUED BY THE CONTROLLER OF Exhibit P9 TRUE COPY OF THE MARKS STATEMENT WITH ROLL NO. 4809133, ISSUED BY THE CONTROLLER OF Exhibit P10 THE TRUE COPY OF THE REQUEST MADE BY THE PETITIONER DATED 10.09.2015 Exhibit P11 . THE TRUE COPY OF THE JUDGMENT IN O.S. NO. 495 OF 2016 OF MUNSIFF'S COURT, KOTTAYAM DATED 10.06.2019

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