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WP-43759-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE MILIND RAMESH PHADKE

ON THE 20th OF JULY, 2026

WRIT PETITION No. 43759 of 2025

SMT ROOPA YADAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Jitendra Kumar Sharma, Advocate with Ms Krati Sachdev
appeared for petitioner.
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ORDER

The present petition under Article 226 of the Constitution of India has been filed challenging the order dated 24.10.2025 passed by respondent No. 1, whereby the petitioner's request for correction of her photograph in the GNM marksheets and other academic records has been rejected.

2. It is the case of the petitioner that she was admitted to the GNM Course for the academic session 2019-20 in respondent No. 2 College, which is recognized by respondent No. 1, Madhya Pradesh State Nurses Registration Council. At the time of admission, the petitioner submitted all requisite documents, including her own photographs, which were duly affixed to the admission form and admission register maintained by the institution. After completion of the online registration process, when the first-year admit card was issued, she was surprised to find that the photograph of another lady had been uploaded in place of her own



photograph. Immediately thereafter, she approached the authorities of respondent No. 2, who informed her that the incorrect photograph had been uploaded inadvertently during the online registration process and assured her that the mistake would be rectified through respondent No. 1. Despite the incorrect photograph appearing on the admit card, she was permitted to appear in the First Year GNM Examination. After declaration of the First Year result, the petitioner was issued a marksheet carrying the same incorrect photograph. Thereafter, respondent No. 2 addressed a communication dated 13.10.2021 to respondent No. 1 requesting correction of the petitioner's photograph. However, no action was taken. Similarly, while issuing the admit card for the Second Year Examination, the same incorrect photograph continued to appear. The petitioner again requested the authorities to correct the error, pursuant to which respondent No. 2 sent another communication dated 26.08.2022 requesting respondent No. 1 to rectify the mistake. Nevertheless, the petitioner was permitted to appear in the Second Year Examination and, after successfully passing the same, the Second Year marksheet was also issued with the photograph of another lady. The same error continued during the Third Year Examination. Although the petitioner repeatedly approached the authorities and was allowed to appear in the examination, the Third Year marksheet also carried the incorrect photograph. Thereafter, another representation dated 24.06.2024 was submitted through the college authorities, and the petitioner also sought information under the Right to Information Act regarding the action taken on her representation, but no effective steps were taken by the respondents. Being left with no



alternative, the petitioner approached this Court by filing W.P. No. 6753/2025, which was disposed of on 01.08.2025 with a direction to respondent No. 1 to consider and decide a fresh representation. Pursuant thereto, respondent No. 1 passed the impugned order dated 24.10.2025 rejecting the petitioner's request for correction of the photograph in her academic records, leading to the filing of the present petition.

3. Learned counsel for the petitioner submits that the petitioner has never committed any fraud, misrepresentation, or impersonation. It is contended that, from the very inception, the petitioner had submitted her correct photograph at the time of admission, which is duly reflected in the admission records maintained by respondent No. 2. The incorrect photograph came to be uploaded solely due to a technical or clerical mistake committed during the process of online registration by the respondent authorities. It is further submitted that immediately after noticing the mistake in the First Year admit card, the petitioner continuously approached respondent Nos. 1 and 2 for rectification. Respondent No. 2 itself repeatedly addressed communications dated 13.10.2021 and 26.08.2022 and thereafter forwarded the petitioner's representation dated 24.06.2024 requesting respondent No. 1 to correct the error. Despite having complete knowledge of the mistake, respondent No. 1 failed to rectify the same. Learned counsel further submits that, notwithstanding the incorrect photograph appearing on every admit card, the respondents themselves permitted the petitioner to appear in all three years' examinations, evaluated her answer books, declared her successful, and issued marksheets in her favour. Having accepted the



petitioner's identity throughout the course and examination process, the respondents cannot now refuse to correct the clerical error, particularly when the mistake was never attributable to the petitioner. It is also argued that the petitioner has successfully completed the GNM Course but is unable to obtain registration as a qualified nurse because all her marksheets contain the photograph of another person. The impugned order rejecting the request for correction is arbitrary, unreasonable, and violative of Articles 14 and 21 of the Constitution of India. The petitioner is being made to suffer for no fault of her own despite repeatedly bringing the mistake to the notice of the respondents.

4. Per contra, learned counsel for the respondents contends that the petitioner had knowledge of the alleged discrepancy in the photograph at least from the year 2020, when the First Year admit card was issued, yet she approached this Court only after an inordinate delay of about five years. The petition, therefore, suffers from gross delay and laches. It is further submitted that, under the procedure prescribed by the Madhya Pradesh State Nurses Registration Council, the entire data, including the photograph of the student, is uploaded online by the concerned nursing institution. The Council prepares the registration records, admit cards, and marksheets strictly on the basis of the information and documents uploaded by the institution. As per the records available with the Council, the photograph uploaded at the time of registration was consistently reflected in the registration records, admit cards, and marksheets. Learned counsel further submits that the petitioner appeared in all three examinations on the strength of admit cards bearing the



same photograph. Had there been any mismatch in identity, she could not have been permitted to appear in the examinations. The controversy, therefore, involves disputed questions of fact regarding the identity of the candidate, which cannot be adjudicated in the present writ petition. It is also argued that there is no statutory provision or prescribed procedure under the applicable Rules or the Madhya Pradesh Nurses Registration Act, 1972, for changing the photograph in the marksheets or registration records after a lapse of several years. Permitting such correction at this stage would adversely affect the sanctity and transparency of the registration and examination process. Learned counsel lastly submits that the impugned order dated 24.10.2025 has been passed after due consideration of the petitioner's representation and does not suffer from any illegality, arbitrariness, or perversity. Accordingly, it is prayed that the writ petition be dismissed with costs.

5. At this stage, learned counsel for the petitioner submits that the petitioner had uploaded her correct documents and photograph with the Institute, and any error in uploading or verification of the photograph is attributable to the respondents, not to the petitioner. Immediately upon noticing the discrepancy, the petitioner approached the Institute, which assured her that the error would be rectified. It is further submitted that the petitioner was permitted to appear in all the examinations, completed the course successfully, and her identity has never been disputed. The respondents cannot take advantage of their own negligence in failing to verify the documents at the time of registration. It is also submitted that the



plea of delay is untenable, as the petitioner was continuously pursuing the matter and the respondents neither rejected her request nor communicated any decision for several years. There is no allegation of impersonation or fraud, and therefore, the respondents are duty-bound to correct the erroneous photograph in the official records in the interest of justice.

6. However, learned counsel for the respondents has filed I.A. No. 10292/2026, an application for taking additional documents on record, and submitted that the marksheets issued in favour of the petitioner were generated strictly on the basis of the data and photograph uploaded at the time of online enrolment through the MP Online portal by the concerned nursing college. The Council merely relied upon the data furnished through the online system. It is further submitted that, in compliance with the order dated 01.07.2026, the respondents have produced the original online enrolment form and the marksheets, which clearly demonstrate that the photograph appearing in the enrolment application is the same as the photograph printed on all the marksheets. Thus, no error has occurred on the part of respondent No. 1 Council. It is lastly submitted that if any discrepancy has occurred, the same is attributable either to the concerned nursing college or to the petitioner at the time of uploading the online enrolment form. Therefore, no direction can be issued against respondent No. 1 Council to alter its official records.

7. Heard the counsel for the parties and perused the record.

8. From a perusal of the record, it is evident that the petitioner had submitted her original photograph at the time of admission, and the same is



duly reflected in the Admission Register (Annexure P/2) maintained by respondent No. 2. It is further apparent that the petitioner's correct photograph is also affixed in the application form (Annexure P/5) as well as in Annexure P/7. Thus, the original records maintained by the institution consistently bear the petitioner's correct photograph. However, while generating the online enrolment and the admit cards, the photograph of another candidate came to be uploaded. The material available on record indicates that the discrepancy appears to have occurred during the process of online uploading through the M.P. Online Portal. The petitioner had brought the mistake to the notice of the authorities immediately after issuance of the First Year admit card and continued to pursue the matter throughout the duration of the course. Despite having knowledge of the discrepancy, the respondents permitted the petitioner to appear in all the examinations, accepted her attendance, evaluated her answer books, declared her successful, and issued the marksheets. The respondents have not alleged anywhere that the petitioner had indulged in impersonation, fraud, or any malpractice. If the respondents were of the opinion that there was any case of impersonation, it was incumbent upon them to hold a proper enquiry before rejecting the petitioner's request. Admittedly, no such enquiry has ever been conducted. In the absence of any enquiry or finding regarding impersonation or fraud, the respondents could not have rejected the petitioner's request merely on the ground that the photograph appearing in the online records was different. The petitioner cannot be made to suffer on account of a clerical or technical mistake committed during the online registration



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process, particularly when the original institutional records consistently establish her identity. The action of the respondents in rejecting the petitioner's request is, therefore, arbitrary, unreasonable, and unsustainable in law.

9. Accordingly, the impugned order dated 24.10.2025 is hereby quashed. The writ petition is allowed. The respondents are directed to verify the petitioner's identity from the original admission records, including the Admission Register (Annexure P/2), the application form (Annexure P/5), Annexure P/7, and other relevant institutional records. Upon such verification, the respondents shall correct the petitioner's photograph in all official records and thereafter issue fresh corrected marksheets and other consequential documents in favour of the petitioner within a period of six weeks from the date of receipt of a certified copy of this order.

10. No order as to costs.

(MILIND RAMESH PHADKE)
JUDGE

(aspr)