

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.04.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

W.P.No.10156 of 2015
and
M.P.No.1 of 2015

V.S.Ramesh

.. Petitioner

Versus

1. The Director of School Education,
Chennai - 600 006.
 - 2.The Joint Director of School Education
(Higher Secondary),
Directorate of School Education,
Chennai - 600 006.
 - 3.The Chief Educational Officer,
Vellore - 632 009.
 - 4.The Headmistress,
Sri Meenakshi Government Girls
Higher Secondary School,
Tirupathur - 635 601.
 - 5.The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
- .. Respondents

Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to forthwith forward the application dated 15.12.2014 for alteration of the petitioner's date of birth as 19.05.1958 instead of the existing entry in the petitioner's Service Register as 25.05.1957 and further direct the 5th respondent to conduct enquiry into the matter and submit his report on or before 15.05.2015, so as to enable respondents 1 to 4 to pass final orders in the matter.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.Rajendra Prasad
Government Advocate

O R D E R

As the issues lie in a narrow campus, the Writ Petition is taken up for final disposal.

2.The petitioner was appointed as a Post Graduate Teacher (Geology) on 13.12.2012 and he joined duty on 02.01.2013. As per the first page of the S.S.L.C. Book, his date of birth is 25.05.1957 and the said date is entered in his Service Register. According to the petitioner, his date of birth is 19.05.1958.

3.If the petitioner's date of birth is taken as 25.05.1957, he has to retire on 31.05.2015. However, in the meanwhile, the petitioner has made an application dated 15.12.2014 before the first respondent to correct his date of birth, based on the birth extract, as per which his date of birth is 19.05.1958.

4.According to the petitioner, as per Rule 49(b) of General Rules for Tamil Nadu State and Subordinate Services, the Government Servant could seek alteration of date of birth within five years of service of entry into service and the same shall be examined on merits and in accordance with law. Since no action is taken on his application, the petitioner has come forward with this writ petition seeking for a direction to the respondents 1 to 4 to forward his application dated 15.12.2014, for alteration of his date of birth as 19.05.1958, instead of the existing entry in the Service Register as 25.05.1957 and further direction to the fifth respondent to conduct enquiry in the matter and submit his report on or before 15.05.2015, so as to enable the respondents 1 to 4 to pass final orders in the matter, as he has to retire on 31.05.2015.

5.Taking into account Rule 49(b) of the General Rules for Tamil Nadu State and Subordinate Services, the respondents 1 to 4 are directed to forthwith forward the application submitted by the petitioner dated 15.12.2014 for alteration of his date of birth as 19.05.1958 instead of the existing entry in his Service Register as 25.05.1957 and further direct the 5th respondent to conduct enquiry into the matter and submit his report on or before 15.05.2015, so as to enable respondents 1 to 4 to pass final orders in the matter.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpa/ds

1. The Director of School Education,
Chennai - 600 006.

2.The Joint Director of School Education
(Higher Secondary),
Directorate of School Education,
Chennai - 600 006.

3.The Chief Educational Officer,
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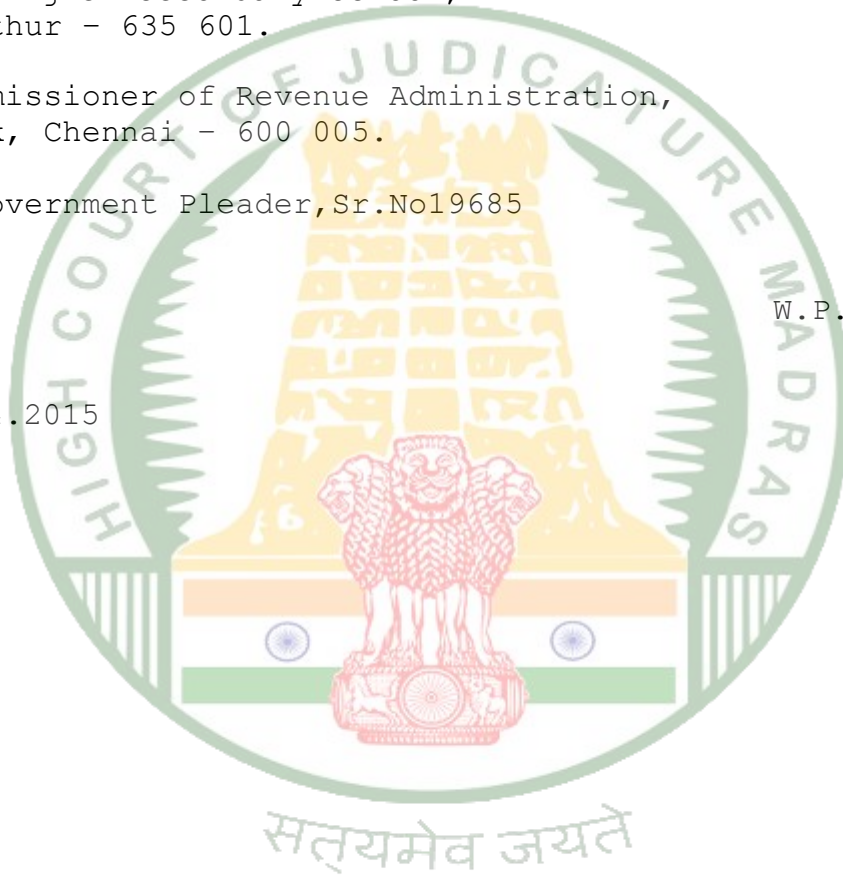
4.The Headmistress,
Sri Meenakshi Government Girls
Higher Secondary School,
Tirupathur - 635 601.

5.The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.

1 cc to Government Pleader, Sr.No19685

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skv(co)
pmk.15.4.2015



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