

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.3166 of 2014

Alliammal

... Petitioner

Vs.

1. The Director of School Education,
DPI Complex,
College Road, Chennai - 600 006.

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

3. The Chief Educational Officer,
Coimbatore.

... Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the first respondent to consider and pass appropriate orders on the application of the petitioner dated 07.01.2011 for alteration of her date of birth as 27.09.1960 instead of 27.05.1958 and the subsequent representation dated 07.10.2013 and 06.01.2014.

For Petitioner : Mr.S.Selvathirumurugan

For Respondents : Mr.S.Gunasekaran,
Govt Advocate

ORDER

The petitioner was appointed as a Post Graduate Assistant on 20.02.2009 and she joined duty on 26.02.2009. As per the first page of the S.S.L.C. Book, her date of birth is 27.05.1958 and the said date is entered in her Service Register. According to the petitioner, her date of birth is 27.06.1960.

2. The petitioner submitted an application dated 07.01.2011 to the first respondent through the third respondent to correct her date of birth. But the same was not forwarded by the third respondent to the first respondent. Hence, she submitted representations dated 09.09.2011 and 07.10.2013 and a reminder dated 06.01.2014 to the first respondent.

3. 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 from the date of entry into service and the same shall be examined on merits and in accordance with law. Since no action is taken on her application, the petitioner has come forward with this writ petition seeking for a direction to the first respondent to consider and pass appropriate orders on her representations dated 07.01.2011 and 07.10.2013 and reminder dated 06.01.2014, for alteration of her date of birth as 27.09.1960 instead of the existing entry in the Service Register as 27.05.1958.

4. Taking into account Rule 49(b) of the General Rules for Tamil Nadu State and Subordinate Services, the first respondent is directed to consider the representations dated 07.01.2011 and 07.10.2013 and also the reminder dated 06.01.2014 submitted by the petitioner for alteration of her date of birth, and pass orders on merits and in accordance with law, after conducting enquiry into the matter through the third respondent and getting a report, as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gg

To

1. The Director of School Education,
DPI Complex,
College Road, Chennai - 600 006.

WEB COPY

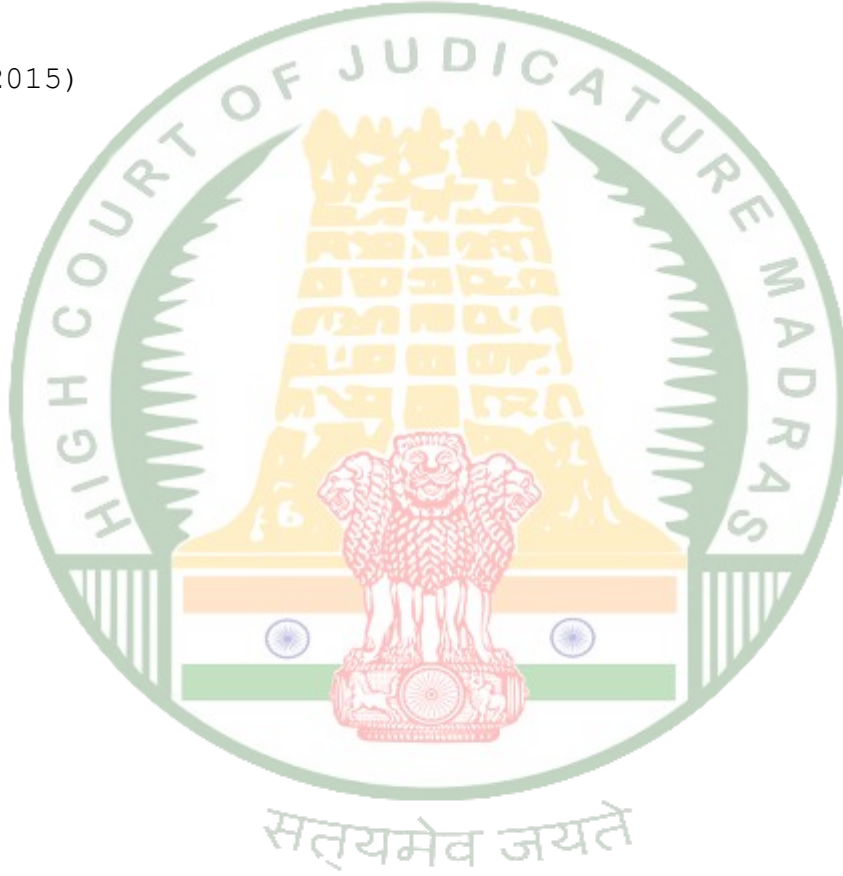
2. The Joint Director of School Education,
(Higher Secondary),
Chennai - 600 006.

3. The Chief Educational Officer,
Coimbatore.

+1cc to Mr.S.Selvathirumurugan, Advocate, S.R.No.20080
+1cc to the Government Pleader, S.R.No.20568

W.P.No.3166 of 2014

SR(CO)
CA(26/05/2015)



WEB COPY