

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.4649 of 2015 and
M.P.No.1 of 2015

K.Murugan

...Petitioner

Vs.

1.Government of Tamil Nadu,
Represented by its Secretary,
Co-operation, Food and Consumer Protection
Department, Fort St.George,
Chennai - 600 009.

2.The Secretary,
Salem District Co-operative Marketing Society Limited,
Salem.

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the second respondent to alter the date of birth of the petitioner in the service record from 29.02.1957 to that of 01.02.1959 and consequently direct the second respondent to permit the petitioner to continue in service of the second respondent until 28.02.2017.

For Petitioner : Ms.Dakshayani Reddy

सत्यमेव जयते
O R D E R

The petitioner seeks a writ of mandamus directing the respondents to alter the date of birth in the service record from 29.02.1957 to 01.02.1959.

2. The petitioner joined service in 1982. The petitioner declared his date of birth as 29.02.1957. The petitioner during the fag end of his service made a representation requesting the respondents to change the date of birth. Since there was no follow up action taken by the respondents, the petitioner is before this Court.

3. There is no dispute that the petitioner joined the service in 1982. The petitioner declared his date of birth as 29.02.1957. In case the petitioner was of the view that the date of birth was

wrongly recorded, he should have made an application within a period of five years. Admittedly, the petitioner has not made application within the cut-off date prescribed by the relevant rules. It is not possible to direct the respondents to change the date of birth during the fag end of service. I therefore do not find any merit in the contention taken by the petitioner.

4. In the upshot, I dismiss the writ petition. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

svki

To

1.The Secretary,
Government of Tamil Nadu,
Co-operation, Food and Consumer Protection
Department, Fort St.George,
Chennai - 600 009.

2.The Secretary,
Salem District Co-operative Marketing Society Limited,
Salem.

1 cc to Mr.L.P.Shanmuga Sundaram ,Advocate, SR.No.10682

1 cc to Ms.Dakshayani Reddy ,Advocate, SR.No.10109

1 cc to Government Pleader, Sr.No10226

W.P.No.4649 of 2015

rj (co)

pmk.13.5.2015

WEB COPY