

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.3039 of 2016 &
W.M.P.No.2499 of 2016

V.K.Thiruvengadasamy

.. Petitioner

Vs.

1.The Joint Director of School
Education [Personnel],
College Road, Chennai - 600 006.

2.The Commissioner for Revenue Administration,
Chepauk, Chennai - 600 005.

3.The Chief Educational Officer,
Erode District,
Erode.

... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to pass order on the representations of the petitioner dated 05.03.2012 and 12.03.2012 made for alteration of Date of Birth from 14.04.1958 to 14.04.1960 and to enter the petitioner's Date of Birth as 14.04.1960 as per the Birth Certificate and allow the petitioner to remain in service till 14.04.2018 with all consequential benefits.

For Petitioner : Mr.R.Saseetharan

For Respondents: Mr.L.Mahendran
Government Advocate

O R D E R

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that he was appointed as B.T.Assistant [Maths] as per the proceedings of the first respondent dated 26.09.2007 and he was joined the service on 04.10.2007 at Government Higher Secondary School, Kumalankottai, Erode District. The petitioner would further state that his Date of Birth was wrongly given as 14.04.1958 instead of 14.04.1960. Therefore, he made representation dated 05.03.2012 to the first respondent for alteration of Date of Birth. The third respondent has written a letter by proceedings dated 12.03.2012 asking the petitioner to give his application in a proper format. Accordingly, the petitioner gave his application in a proper format on 25.07.2012. Despite the same, the first respondent has not passed any order so far and hence, the present Writ Petition has been filed.

3.Heard the submissions of Mr.R.Saseetharan, learned counsel appearing for the petitioner, and Mr.L.Mahendran, learned Government Advocate, who accepts notice on behalf of the respondents.

4.This Court, taking into consideration the above facts and circumstances and without going into the merits of the same, directs the first respondent to consider the representation of the petitioner dated 05.03.2012 and pass orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

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

सत्यमेव जयते

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Joint Director of School Education [Personnel],
College Road, Chennai - 600 006.

2.The Commissioner for Revenue Administration,
Chepauk, Chennai - 600 005.

3.The Chief Educational Officer,
Erode District, Erode.

+1cc to M/S.R.Saseedharan, Advocate, S.R.No.5480
+1cc to the Government Pleader, S.R.No.6434

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ppa (CO)
srg (26/02/2016)



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