

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.34073 of 2014

M.Natarajan

...Petitioner

Vs.

1.The Director General of Police
Chennai - 600 004.

2.The Additional Director General of Police (Admin)
Chennai - 600 004.

...Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents herein to consider the petitioner's representation dated 12.06.2014 and dispose of the same.

For Petitioner : Mr.J.Thilagaraj
For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

The petitioner has come to this Court seeking issuance of Writ of Mandamus directing the respondents to consider his representation dated 12.06.2014, wherein, he has asked for alteration of his date of birth from 10.08.1957 to 10.07.1959.

2.Objection was raised by learned Special Government Pleader not to entertain the writ petition on the ground that when the petitioner, as the Sub-Inspector of Police entered the Police Department in the year 1987 and also after promotion to the post of Inspector of Police in the year 1998 and further promotion to the post of Deputy Superintendent of Police in the year 2010 has not even thought of giving his representation within five years from the date of entry into service. He would further submit that the petitioner has given his representations only on 14.12.1987 and on 03.03.1999 and none of the

representation carried proof of submission or any acknowledgment issued by the respondent. Therefore, his belated representation dated 12.06.2014 cannot be entertained in view of the Old Rule 49 (b) Tamil Nadu State and Subordinate Service Rules and Section 59 of the Tamil Nadu Government Service (Conditions of Service) Act, 2016.

3. In spite of above objection, the learned counsel for the petitioner is unable to produce proof of submission of any of the representation dated 14.12.1987 and 03.03.1999.

4. In that view of the matter, considering the bar imposed by Old Rule 49 (b) Tamil Nadu State and Subordinate Service Rules and Section 59 of the Tamil Nadu Government Service (Conditions of Service) Act, 2016, this Court is not inclined to entertain the writ petition. Therefore, the writ petition fails and the same is dismissed. No costs.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1. The Director General of Police
Chennai - 600 004.

2. The Additional Director General of Police (Admin)
Chennai - 600 004.

W.P.No.34073 of 2014

सत्यमेव जयते

GJ(CO)

RRI 10/05/2017

WEB COPY