

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.14584 of 2017

&

W.M.P.No.15806 of 2017

Dr.M.Sivakumar

... Petitioner

Vs.

The Registrar
Annamalai University
Annamalai Nagar
Chidambaram District

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records pertaining to the impugned order issued by the respondent vide University Order No.151/2017 (c) dated 09.03.2017 and quash the same and in consequence to that, direct the respondent to continue to give effect to the earlier University Order No.344 of 2008 (c) dated 19.03.2008.

For Petitioner : Mr. K. Anbarasan

For Respondent : Mr. K. Sathish Kumar
Standing Counsel

ORDER

This writ petition has been preferred calling in question the legality and validity of the order dated 09.03.2017 passed by the respondent University, whereby and whereunder, the petitioner's application for alteration of his date of birth in service records, has been turned down on the ground that the same was received only on 17.09.2007, which is after five years after the date of his entry into service of the respondent University. It has been further stated in the impugned order that according to the instructions issued in Govt. Letter No.154/P. & A.R. dated 24.06.1995, which has been incorporated in Rule 49 of the Tamil Nadu State and Subordinate Service Rules, any application for alteration of date of birth received after 5 years of entry into service or any application which is

not supported by entries in SSLC school, college or University records, birth records, or from records of local bodies, shall be summarily be rejected.

2. Concededly, the petitioner was appointed as Lecturer in the respondent University on 01.07.2002. After entering into service of the respondent University, the petitioner, admittedly remained dormant for a period of five long years. Therefore, when he made an application on 17.09.2007 seeking alteration of date of birth in the service records, the respondent University, considering the instructions issued in Letter No.154/P. & A.R. dated 24.06.1995, rejected his application. At the risk of repetition, when the petitioner entered into service on 01.07.2002, he sought alteration of his date of birth in the service records only on 17.09.2007, which is five years after the date of his entry into service. Hence, this Court is of the considered view that the impugned order has been passed only in consonance with the relevant Rules and as such, there is no illegality or infirmity in the impugned order passed by the respondent warranting interference.

Resultantly, this writ petition fails and is accordingly dismissed. No costs. Connected W.M.P. is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

cad

To

The Registrar
Annamalai University
Annamalai Nagar
Chidambaram District.

+1cc to Mr.K.Sathish Kumar, Advocate, S.R.No.41380

W.P.No.14584 of 2017

MSM(CO)
CA(30/06/2017)