

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7194 of 2013

R.Boopathy

... Petitioner

vs.

1. The Superintendent of Police,
Salem District, Salem.
2. The Chairman,
Tamil Nadu Uniform Services Recruitment Board,
Anna Salai, Chennai.
3. The Additional Director General of Police (Admin),
O/o. The Director General of Police, Chennai.
4. The Director General of Police,
Kamaraj Salai, Chennai-4.
5. The Deputy Inspector General,
Salem Range, Salem-7.

(R4 & R5 are impleaded as per order
dated 04.10.2016 in MP.No. 1/2015 in
WP. 7194/2013)

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus, directing the 1st respondent to pass orders on the application of the petitioner dated 06.05.2005 seeking for alternation of the date of birth of the petitioner as 02.01.1978 instead 12.03.1977 in the service register within the time frame.

For Petitioner : Mr.S.Karthikeyan
For Respondents : Mr. R.S.Selvam
Government Advocate.

O R D E R

The relief sought for in the present writ petition is for a direction to direct the first respondent to pass orders on the application submitted by the writ petitioner dated 06.05.2005 seeking for alteration of the date of birth of the petitioner as

02.01.1978 instead 12.03.1977 in the service register.

2. This Court is of an opinion that, alteration of date of birth in service register should be done strictly in accordance with the Rules prescribed for the said corrections. Employees relying on the school certificate for many number of years and thereafter altering the date of birth based on some documents are to be scrutinized carefully and strictly with reference to the Rules in force. Thus, while effecting the alteration of date of birth, the Authorities Competent must follow the procedures and Rules in force.

3. In the present case in hand, the learned counsel for the writ petitioner states that, undoubtedly the writ petitioner was appointed based on the school records. However, he filed a civil suit and obtained a decree in the year 2005. Based on the decree, now the petitioner is claiming alteration of date of birth. However, it is not brought to this Court that, whether the date of birth has been altered in his school records by the Educational Authority who entered the date of birth of the writ petitioner at the time of the issuance of the school certificate. All these facts are to be verified with the authorities concerned.

4. The learned Government Advocate now brought to the notice of this Court that, the Superintendent of Police, Salem District send a proposal to the Director General of Police, Chennai, Tamil Nadu, in relation to the claim of the writ petitioner for alternation of date of birth in proceeding dated 24.05.2013. The writ petitioner has also submitted a representation in this regard. Thus, without going in to the merits of the matter, the 4th respondent, Director General of Police is directed to consider the claim of the writ petitioner for alteration of date of birth strictly in accordance with the Rules in force and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

5. The writ petitioner is directed to enclose a copy of application and all the relevant documents along with the order passed in this writ petition.

6. Accordingly, the writ petition stands disposed of. However, no order as to costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

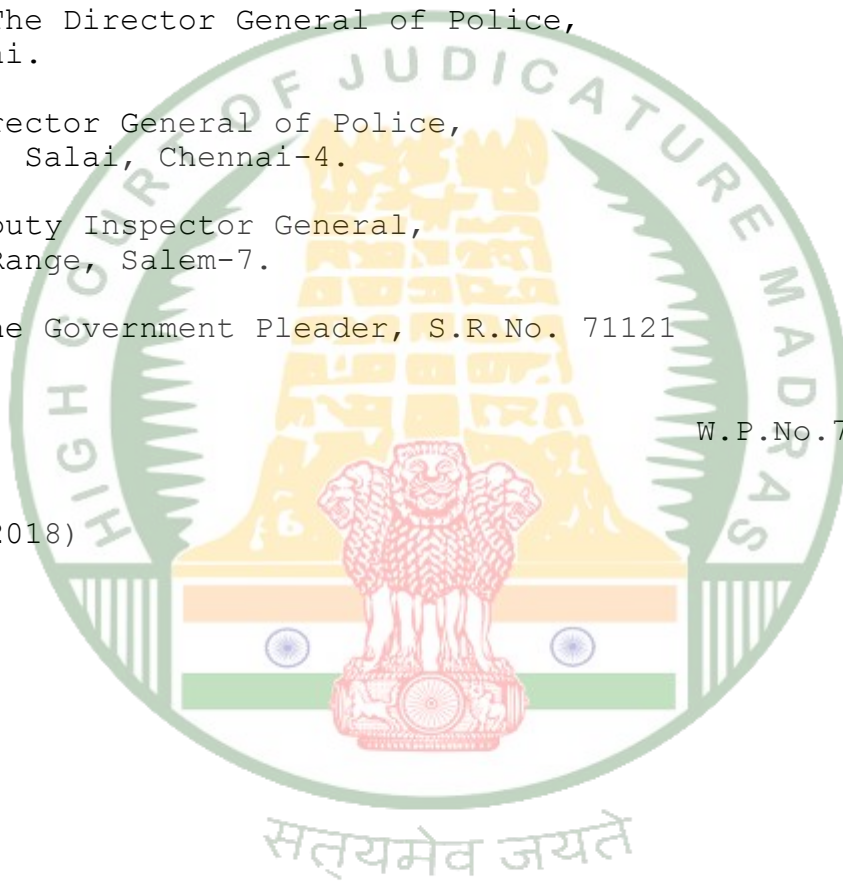
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To

1. The Superintendent of Police,
Salem District,
Salem.
 2. The Chairman,
Tamil Nadu Uniform Services Recruitment Board,
Anna Salai, Chennai.
 3. The Additional Director General of Police (Admin),
O/o. The Director General of Police,
Chennai.
 4. The Director General of Police,
Kamaraj Salai, Chennai-4.
 5. The Deputy Inspector General,
Salem Range, Salem-7.
- +1cc to the Government Pleader, S.R.No. 71121

W.P.No.7194 of 2013

BR(CO)
GN(12/11/2018)



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