

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.33684 of 2017

K.Saleem

.. Petitioner

-vs-

1. The Chairman

Chennai Port Trust
Administrative Office
Rajaji Salai
Chennai 600 001

2. The Chief Medical Officer

Chennai Port Trust Hospital
Medical Department
Chennai Port Trust
Rajaji Salai
Chennai 600 001

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records connected with the impugned order dated 28.06.2016 passed by the first respondent in his letter No.P1/6293/15/H and quash the same and further direct the first respondent to permit the petitioner to alter his date of birth as 15.01.1962 as per the genuine certificate of birth dated 15.08.2015 issued by the Corporation of Madurai in his Service Book and relevant service documents instead of 20.01.1960 within the time frame as may be fixed by this Hon'ble Court.

For Petitioner ::

Mr.L.Chandrakumar
for M/s Law Square

ORDER

This writ petition is directed against the impugned order rejecting the request of the petitioner for alteration of his date of birth from 20.01.1960 to 15.01.1962.

2. Learned counsel for the petitioner, assailing the impugned order, vehemently submitted that although the petitioner entered into the services of the Chennai Port Trust on 15.7.94 and got the benefit of confirmation on 24.7.96, as there is no prohibition or any

provision preventing the petitioner from moving his application even beyond five years from the date of his entry into service so far as the Chennai Port Trust is concerned, he made an application on 29.4.2016 requesting the respondents to alter his date of birth. But the Chief Medical Officer in-charge for Chairman in the impugned order has simply mentioned that as per the established procedure and legal position, the petitioner's request for change of date of birth at the fag end of his career is unjustified, with the result the request of the petitioner has been rejected. The approach adopted by the respondents being wholly unsustainable, the petitioner has been advised to come to this Court challenging the same.

3. But this Court is also not able to appreciate the method adopted by the petitioner to alter his date of birth, 22 years after his entry into service. As mentioned above, when the petitioner entered the service of the Chennai Port Trust on 15.7.94 and he was also given the benefit of confirmation on 24.7.96, it is not known why he has not even remembered his original date of birth either before his entry into service, if not, atleast after his entry into service within five years. Therefore, this Court finds no infirmity with the impugned order. Accordingly, the writ petition is dismissed.

Sd/-
ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

ss

To

1. The Chairman
Chennai Port Trust
Administrative Office
Rajaji Salai
Chennai 600 001
2. The Chief Medical Officer
Chennai Port Trust Hospital
Medical Department
Chennai Port Trust
Rajaji Salai
Chennai 600 001

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JK 25/01/18