

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.12435 of 2006

T.S.Krishnamoorthy

... Petitioner

Vs.

- 1.Government of Tamil Nadu
Rep. by its Secretary to Government,
Revenue Department,
Fort St.George, Chennai - 600 009.
 - 2.The Commissioner of Revenue Administration
Chepauk,
Chennai - 600 005.
 - 3.The District Collector,
Namakkal District,
Namakkal.
 - 4.The Revenue Divisional Officer,
Tiruchengode.
- Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari and Mandamus calling for the records in [1] Pro.Na.Ka.No.7702/2005/A, dated 30.01.2006; and [2] Pro.Na.Ka. No.610/06/A dated 31.01.2006, quash the same and issue consequential directions to the respondents to correct the petitioner's date of birth as 06.10.1948, instead of the existing entry as 15.01.1948, as entered in his service records and allow the petitioner to continue in service beyond 31.01.2006 till 31.10.2006 and disburse to him all consequential service and monetary benefits due and payable to him upon his deemed actual service beyond 31.01.2006 till 31.10.2006.

For Petitioner : Mr.M.Ravi

For Respondents: Mr.K.Ravikumar
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records in [1] Pro.Na.Ka.No.7702/2005/A, dated 30.01.2006; and [2] Pro.Na.Ka. No.610/06/A dated 31.01.2006, to quash the same and issue consequential directions to the respondents to correct the petitioner's date of birth as 06.10.1948, instead of the existing entry as 15.01.1948, as entered in his service records and allow the petitioner to continue in service beyond 31.01.2006 till 31.10.2006 and disburse to him all consequential service and monetary benefits due and payable to him upon his deemed actual service beyond 31.01.2006 till 31.10.2006.

2.The case of the petitioner is that the petitioner entered the service as Village Administrative Officer on 27.12.1996 and during January, 2001, through his relatives he came to know that his date of birth was wrongly given by his parents. Hence he applied to the Sub Registrar, Tharamangalam for certified extract from the Birth Register relating to the year 1948 relating to his birth. Accordingly, certified copy of the extract from the Register of Birth in Form No.9 was issued to the petitioner by the Sub Registrar, Tharamangalam and it showed that the actual date of birth of the petitioner was 06.10.1948.

3.It is the further case of the petitioner that immediately, thereafter the petitioner made representation dated 14.05.2001 to the Tahsildar, Tiruchengode for correcting the date of birth in his service register as 06.10.1948 instead of 15.01.1948 by enclosing the birth extract issued by the Sub Registrar, Tharamangalam. The Tahsildar, Tiruchengode, vide letter dated 09.08.2001 forwarded the petitioner's representation dated 14.05.2001 to the District Collector, Namakkal, recommending his claim for correction of date of birth. Since there was no response, the petitioner filed writ petition in W.P.No.35280 of 2004 before this Court and this Court vide order dated 02.12.2004 directed the respondents therein to consider and dispose of the petitioner's representation. Pursuant to the order of this Court, the Revenue Divisional Officer, Mettur conducted enquiry into the matter and thereafter, the impugned orders came to be passed and the petitioner was allowed to retire on 31.01.2006. Hence, the petitioner has come forward with this writ petition.

4.While entertaining the writ petition, this Court has not granted any interim order for protection of the petitioner's right. Hence, after a lapse of nearly twelve years, I do not

find that anything would survive for adjudication in this writ petition. The writ petition is accordingly dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Government of Tamil Nadu
Revenue Department,
Fort St.George, Chennai - 600 009.
- 2.The Commissioner of Revenue Administration
Chepauk,
Chennai - 600 005.
- 3.The District Collector,
Namakkal District,
Namakkal.
- 4.The Revenue Divisional Officer,
Tiruchengode.

+1cc to Government Pleader in sr.no.41863

W.P.No.12435 of 2006

sv(co)
nr 13/07/2018

सत्यमेव जयते

WEB COPY