



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.300 of 2018

R.Gurusamy

... Petitioner

Vs.

1. The Chief Engineer Personnel,
TANGEDCO,
8th Floor N.P.K.R.R. Maligai,
144, Annasalai,
Chennai02.

2. The Superintending Engineer,
M.E.D.C/METRO,
TANGEDCO,
K.Pudur, Madurai-7.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to change the date of birth of the petitioner from 20.05.1970 to 04.09.1970 in the petitioner's Service Register on considering the original application of the petitioner dated 10.10.1997 based on the representation of the petitioner dated 03.04.2017.

For Petitioner : Mr.B.Prasanna Vinoth
For Respondents : Mr.Dhayalan for R1 & R2
For TNEB

ORDER

Heard the learned counsel on either side.

2.The petitioner joined the office of the first respondent as Technical Assistant on 03.09.1993. His contention is that though his actual date of birth is only 04.09.1970, it is erroneously entered in the Service Register as 20.05.1970. Therefore, seeking alteration of his date of birth, the petitioner originally submitted an application on 10.10.1997 to the first respondent. Thereafter, a reminder was sent to the second respondent on 25.02.2016. It was summarily rejected vide order dated 14.03.2016 by the second respondent. The petitioner did not choose to challenge the said order returning his application, instead, he has submitted a fresh representation, stating that he had actually submitted an application for altering his date of



birth, within five years. Since his representations were not considered, the present Writ Petition has been filed.

3.The petitioner has enclosed a copy of the application dated 10.10.1997, whereby he sought alteration of date of birth in the Service Register. This Court posted a specific question to the learned counsel for the petitioner as to whether there was any proof of such submission of application dated 10.10.1997. The response is that the application dated 10.10.1997 was given in person and therefore, there is no proof of having given the said application.

4.The learned Standing Counsel appearing for the respondents submitted that the petitioner did not give any such application within five years. Since the petitioner has not furnished any proof of submission of an application within the stipulated period of five years and since there is no challenge to the order dated 14.03.2016 passed by the second respondent, this Court is of the view that necessarily the present Writ Petition has to be rejected.

5.The Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Engineer Personnel,
TANGEDCO,
8th Floor N.P.K.R.R. Maligai,
144, Annasalai,
Chennai02.

2. The Superintending Engineer,
M.E.D.C/METRO,
TANGEDCO,
K.Pudur, Madurai-7.

TSG

VB/SKN/RSK/SAR4/22.02.2018/2P/3C

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