



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.18513 of 2018

A.Ravichandran

... Petitioner

vs.

1.The Principal Secretary to
Government of Tamil Nadu
Public Works Department
Secretariat, Fort St.George
Chennai-9

2.The Engineer in Chief
Water Resources Department
and Chief Engineer (General)
Chepauk, Chennai-5

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to correct the date of birth of the petitioner in the service register as 26.12.1961 instead of 01.03.1961 in the light of the birth certificate issued by the Tahsildar, Tirumangalam on 31.07.2018 and by taking into account his representation on 01.08.2018.

For Petitioner : Mr.N.Balamuralikrishnan

For Respondents : Mr.A.Muthu Karuppan

Additional Government Pleader

O R D E R

The case of the petitioner is that he is working as Assistant Executive Engineer in the Office attached to the second respondent at Trichy. At the time of admission to the School and College, in which the petitioner studied, his date of birth had been wrongly given by his parents as 01.03.1961 and the same had been entered in his school and college records.

2. On coming to know about the mistake of entry of his date of birth, the petitioner immediately approached the Authority concerned and applied for issuance of a fresh birth certificate denoting the correct date of birth as 26.12.1961 instead of 01.03.1961. On receipt of the petitioner's application, the Revenue Divisional Officer, Usilampatti, who is the competent Authority, held an enquiry and thereafter, vide proceedings, dated 30.07.2018, ordered for change of the petitioner's date of birth. Subsequently, the Tahsildar, Thirumangalam, had issued a birth certificate, dated 31.07.2018, to the effect that the petitioner was born on 26.12.1961. Immediately thereafter, the petitioner appears to have submitted a representation on 01.08.2018 to the respondents



enclosing the birth certificate dated 31.07.2018 and requested them to correct the date of birth in his service register. Since the representation has not been disposed of by the respondents till date, the petitioner is before this Court.

3. Mr.A.Muthu Karuppan, learned Additional Government Pleader, takes notice for the respondents.

4. Since the prayer sought in this writ petition is limited in scope, in the fitness of things, this Court disposes of the writ petition at the admission stage itself with the following directions:

- i. The respondents are directed to pass appropriate orders on the representation submitted by the petitioner on 01.08.2018, on the basis of the proceedings of the Revenue Divisional Officer, Usilampatti, dated 30.07.2018 and the Tahsildar, Thirumangalam, dated 31.07.2018, seeking to correct his date of birth as 26.12.1961 instead of 01.03.1961 in his service register, on merits and in accordance with law.
- ii. Such an exercise shall be completed by the respondents within a period of four weeks from the date of receipt of a copy of this order.
- iii. No costs.

Sd/-
Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar(CS-II)

To:

- 1.The Principal Secretary to
Government of Tamil Nadu,
Public Works Department,
Secretariat, Fort St.George,
Chennai-9.
- 2.The Engineer in Chief,
Water Resources Department
and Chief Engineer (General),
Chepauk, Chennai-5.

+1cc to M/S.B.PRAHALAD RAVI, Advocate SR.No. 80288

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