

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT APPEAL No.622 OF 2018

JUDGMENT: (per Hon'ble Sri Justice Sanjay Kumar)

This writ appeal under Clause 15 of the Letters Patent arises out of the order dated 03.04.2018 passed by a learned Judge of this Court dismissing W.P.No.10949 of 2018. By way of the said writ petition, the appellant/petitioner sought consideration of his request for alteration of his date of birth as 18.08.1963 in the place of 18.08.1960 by the State of Telangana and its authorities.

By the order under appeal, the learned Judge held that the appellant/petitioner was an educated person and his attempt to get the date of birth changed at the fag end of his service was only an afterthought and accordingly dismissed the writ petition.

Sri P.V.Krishnaiah, learned counsel for the appellant/petitioner, would state that the appellant/petitioner made representation dated 15.03.2018 to the Principal Secretary to the Government, Panchayat Raj and Rural Development Department, State of Telangana, the first respondent herein, seeking consideration of his request for alteration of his date of birth. Learned counsel would state that as the said representation was still pending consideration, it would have been sufficient for the learned Judge to direct the authorities concerned to consider the same on its own merits instead of pre-empting any such consideration by holding against the appellant/petitioner on merits.

We find merit in this submission.

The writ appeal is accordingly allowed setting aside the order under appeal. The Principal Secretary to the Government, Panchayat Raj and

Rural Development Department, State of Telangana, the first respondent, is directed to consider the appellant/petitioner's representation dated 15.03.2018 on its own merits and in accordance with law expeditiously and, in any event, not later than two months from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date: 24.04.2018
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M. GANGA RAO, J

