

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24/10/2019

C O R A M

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

WRIT PETITION NO.16968 OF 2013

P.Rajeswari

... Petitioner

Vs

1. The District Collector
Vellore
Vellore District.

2. The Commissioner
Panchayat Union
Gudiyattam
Vellore District.

3. The District Planning Officer
Integrated Child Development Scheme
No.11 Ponniamman Koil Street
Sainathapuram
Vellore 1.

... Respondents

Prayer :-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to alter the Date of Birth of the petitioner as 9/5/1960 instead of 31/6/1955 in the service records within a stipulated time.

For petitioner ... Mr.T.P.Prabakaran

For respondents ... Ms.K.Bhuvaneswari
Additional Government Pleader

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O R D E R

Instant writ petition is to direct the respondents, to alter the Date of Birth of the petitioner, as 9/5/1960 instead of 31/6/1955, in the service records.

2. The Commissioner, Panchayat, Gudiyatham, Vellore District, called for applications, to the post of Noon Meal

Assistant, in various Nutrition Meal Centers. Petitioner has applied for the said post and was appointed, on 20/9/1985 and at the time of appointment, petitioner was not having any proof to substantiate her Date of Birth. She gave representation stating that her Date of Birth is 31/6/1955. On 29/3/2013, petitioner gave another representation, stating that her Date of Birth is 9/5/1960 and not 31/6/1955. Since the representation of the petitioner was rejected, instant writ petition is filed.

3. Heard Mr.T.P.Prabakaran, learned counsel for the petitioner and Ms.K.Bhuvaneswari, learned Additional Government Pleader for the respondents.

4. It is trite law that any application for change of Date of Birth must be made immediately. Belated applications cannot be entertained and that too when employee is at the fag end of her career. In view of the above, prayer sought for by the petitioner, cannot be granted. Accordingly, instant writ petition is dismissed. Petitioner had attained the age of superannuation, on 30/6/2013. More than six years have passed and the petitioner is not getting terminal benefits only on the ground that instant writ petition is pending. While dismissing the writ petition and by exercising the power under Article 226 of the Constitution of India, this Court directs the respondents to settle the pensionary benefits, within a period of twelve weeks, from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

mvs

To

1. The District Collector
Vellore
Vellore District.
2. The Commissioner
Panchayat Union
Gudiyattam
Vellore District.

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3. The District Planning Officer
Integrated Child Development Scheme
No.11 Ponnamman Koil Street
Sainathapuram
Vellore 1.

+1cc to Ms.K.Bhuvaneswari, Advocate, S.R.No.89459
+1cc to the Government Pleader, S.R.No.89660

Writ Petition No.16968 of 2013

RSK (CO)
CS/31/10/2019



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