

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.05.2019

CORAM:

THE HONOURABLE Mr.JUSTICE RMT.TEEKAA RAMAN

W.P.No.14779 of 2019
and
W.M.P.No.14759 of 2019

K.Nedunchelian

...Petitioner

Vs.

1. The Secretary to Government,
School Education Department,
Fort St.George, Chennai.
 2. The Director of School Education,
DPT Compound, College Road,
Nungambakkam, Chennai.
 3. The Joint Director of School Education,
DPI Compound, College Road,
Nungambakkam, Chennai.
 4. The Commissioner of Revenue Administration,
Ezhilagam Buildings, Chennai.
 5. The Chief Educational Officer,
Office of the Chief Education, Salem.
 6. The Head Master,
MNS Government Girls Higher Secondary School,
Attayampatti, Salem.
- ...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying to issue writ of mandamus directing the second respondent to pass final orders after getting the report from the fourth respondent by altering the date of birth of the petitioner as 17/07/1962 instead of 15/05/1961 in the service records and consequently direct the respondents 1 to 3 to permit the petitioner to continue in services till he attains the age of Superannuation by paying all other attendant, monetary benefits with continuity of service and related service benefits to the petitioner.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.K.Karthikeyan
Government Advocate
(for R.1 to R.3 & R.5 & R.6)
Mr.A.N.Thambidurai
Government Pleader
(for R.4)

ORDER

Heard Mr.N.Umapathi, learned counsel for the petitioner and Mr.K.Karthikeyan, learned Government Advocate for first to third respondents and fifth and sixth respondent and Mr.A.N.Thambidurai, learned Government Pleader for fourth respondent.

2. With the consent of learned counsel either side, the writ petition is taken up for disposal.

3. The prayer sought for by the writ petitioner in this writ petition is to direct the second respondent to pass final orders after getting the report from the fourth respondent by altering the date of birth of the petitioner as 17/07/1962 instead of 15/05/1961 in the service records and consequently direct the respondents 1 to 3 to permit the petitioner to continue in services till he attains the age of Superannuation by paying all other attendant, monetary benefits with continuity of service and related service benefits to the petitioner.

4. The petitioner herein seeks for alteration of Date of Birth. According to the learned Government Pleader, the said representation has to be given within a period of five years of service.

5. Per Contra, the learned Government Pleader submits that the said request for alteration of Date of Birth was filed after twenty years. However, representation has not been disposed of as per the Service Rules governing. There shall be an order directing the second respondent to pass orders on the representation dated 23.09.2010 within a period of six weeks from the date of receipt of copy of this order.

6. In the result, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

mrm/kkn

To

1. The Secretary to Government,
School Education Department,
Fort St.George, Chennai.
2. The Director of School Education,
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6. The Head Master,
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+1cc to Government Pleader sr.44178

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and
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nr 28/05/2019