



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE **S.M. SUBRAMANIAM**

W.P. (MD) .No.963 of 2014

and

MP (MD) No.1 of 2014

S.Muthukumar

... Petitioner

-Vs-

The Director,
Local Fund Audit Department,
4th Floor, Kuralagam,
Chennai-108.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.Pa & Ni.1 (2)/45820/2013/dated 24.12.2013, on the file of the respondent and quash the same as illegal and consequently to direct the respondent to alter the date of birth of the petitioner as 12.04.1960 instead of 18.04.1959 in the service register of the petitioner within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondent : Mr.D.Muruganantham
Additional Government Pleader

ORDER

The writ petitioner attained the age of superannuation on 30.04.2017. The writ petitioner retired as an Assistant Director of Local Fund Audit. The grievances of the writ petitioner was that his claim for alteration of date of birth was not considered. The writ petitioner states that his date of birth as per his school records as well as the service records was 18.04.1959 and his actual date of birth is 12.04.1960. However, the claim seeking alteration was made belatedly and the writ petitioner also attained the age of superannuation and retired from service one year back. Under these circumstances, the claim of the writ petitioner deserves no merits consideration as the Hon'ble Supreme Court of India already reiterate that the claim for alteration of date of birth cannot be entertained after a lapse of many years.



Admittedly, the writ petitioner has to approach the competent authority at the age of 55 more specifically, three years prior to the date of retirement. This being the factum, the claim of the writ petitioner cannot be considered and accordingly, the same stands rejected.

2. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

// True Copy //

Sub Assistant Registrar(CS)

sjj

To

The Director,
Local Fund Audit Department,
4th Floor, Kuralagam,
Chennai-108.

+1CC TO MR.T.LAJAPATHI ROY, Advocate Sr. No.80875

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 81140

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CS(CO)

TR (30.08.2019) 2P 4C