



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.21809 of 2019

K.Kanniappan

... Petitioner

-Vs-

The Commissioner,  
Madurai Municipal Corporation,  
Aringar Anna Maligai,  
Madurai-625 002.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 06.09.2019 to alter the date of birth of the petitioner in his service records as per the record sheet issued by the school authorities.

For Petitioner : Mr.A.John Vincent

For Respondent : Mr.J.Gunaseelan Muthaiah

**ORDER**

This Writ Petition is filed to direct the respondent to consider the representation of the petitioner dated 06.09.2019 to alter the date of birth of the petitioner in his service records as per the record sheet issued by the school authorities.

2.According to the petitioner, he has joined as Conservancy Worker in the respondent office. At the time of appointment, he could not get the transfer certificate from the school, where he studied. Therefore, he has produced the medical certificate issued by the Assistant Surgeon, Government Rajaji Hospital, Madurai, on 17.04.1985. Based on the said certificate, his date of birth was entered in his service record as 01.07.1960. Subsequently, he approached the Headmaster of the school, where he studied. The Headmaster has traced the record sheet and issued the same to the petitioner on 25.04.2017, in which his date of birth is shown as 25.06.1963. Therefore, the petitioner has approached the Joint Sub Registrar, Palani, for issuing birth certificate. The Joint Sub Registrar has informed the petitioner that documents are damaged and therefore, it is not possible to issue birth certificate. In view of the above, the petitioner has made a representation to the



respondent dated 06.09.2019, enclosing record sheet issued by the Headmaster to alter the date of birth in his service records as 25.06.1963, instead of 01.07.1960. However, till date, no order has been passed thereon. Hence, the petitioner has come out with the present Writ Petition.

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3. Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the respondent and perused the materials available on record carefully.

4. From the materials on record, it is seen that the petitioner was appointed as Conservancy Worker on 29.10.1980. On that date, the petitioner did not produce the transfer certificate or birth certificate. After lapse of 39 years from the date of appointment, on the verge of the retirement, the petitioner is now seeking alteration of his date of birth, based on the record sheet issued by the Headmaster of the school, where he studied. The reason given by the petitioner for producing record sheet after lapse of 39 years from the date of appointment, is not acceptable. Therefore, the petitioner is not entitled to alteration of date of birth on the verge of his retirement.

5. For the above reason, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS)

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To  
The Commissioner,  
Madurai Municipal Corporation,  
Aringar Anna Maligai,  
Madurai-625 002.

+1 CC to M/s. J. GUNASEELANMUTHIAH, Advocate (SR-93734[F] dt. 22/10/2019)

+1 CC to M/s. A. JOHN VINCENT, Advocate (SR-93772[F] dated 23/10/2019)

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JMN(11.11.2019) 2P : 4C