



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD)No.24735 of 2019

R.Thamizharasu

... Petitioner

Vs.

1.The Chairman,
Tamilnadu Uniformed Service Recruitment Board,
Old Commissioner Police Office Campus,
Pantheon Road,
Egmore,
Chennai-08.

2.The District Superintend Police,
Trichy,
Trichy District.

3.The Director of Government Examinations,
Chennai-600 006.

... Respondents

***(R3 is suo motu impleaded as third respondent,
as per the order of this Court dt.22.11.2019
in this petition)***

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to treat the petitioner Birth Certificate as Date of Birth Proof while in Certificate verification for the post called for vide Advertisement No.1/2019, dated 06.03.2019 by the first respondent by considering the representation, dated 05.11.2019.

For Petitioners : Mr.K.Sivabalan

For R1 & R2 : Mr.VR.Shanmuganathan,
Special Government Pleader

For R3 : Mr.A.Thiyagarajan,
Government Advocate

ORDER

This writ petition is filed for a direction to the second respondent to treat the petitioner's Birth Certificate as Date of
<https://hcservices.ecourts.gov.in/hcservices/>



Birth Proof while in Certificate verification for the post of Grade-II Police Constable called for by the first respondent vide Advertisement No.1/2019, dated 06.03.2019, by considering his representation, dated 05.11.2019.

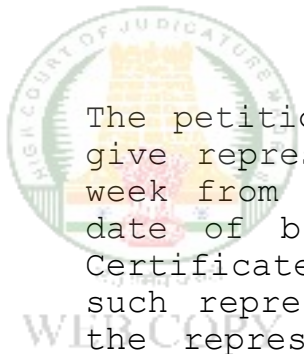
2. Mr.VR.Shanmuganathan, learned Special Government Pleader takes notice for the respondents 1 & 2. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, he was born on 14.06.1995 in St.Joseph Hospital, Attur, Salem District and the same has been registered in Attur Municipality. His parents are illiterate and while admitting the petitioner in the School, his parents wrongly mentioned his date of birth as 05.04.1993 instead of 14.06.1995. The petitioner in response to Advertisement No.1 of 2009, dated 06.03.2019, issued by the first respondent, applied for the post of Grade-II Police Constable. He was successful in the written examination as well as in the physical test. After physical test, next stage for selection is certificate verification. The petitioner has come out with the present writ petition for a direction to the second respondent to treat his birth certificate for proof of date of birth at the time of certificate verification.

4. Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the respondents 1 and 2 submitted that the petitioner has not uploaded the Secondary School Leaving Certificate, Date of Birth Certificate, Higher Secondary School Certificate along with the online application and he has stated his date of birth as 05.04.1994 in the online application.

5. From the materials on record, it is seen that the petitioner has produced the certificate issued by the St.Joseph Hospital, Attur, Salem District and also the birth certificate issued by the Attur Municipality, dated 18.10.2019, which shows his date of birth is 14.06.1995. But, admittedly, in the certificate of Secondary School Leaving Course Certificate and Higher Secondary Course Certificate, his date of birth is mentioned as 05.04.1993. Due to discrepancy in the certificates, it is for the petitioner to get the date of birth corrected in his certificates.

6. Considering the fact that the petitioner is successful in the written examination and physical test, the petitioner is granted five (5) weeks time to get the date of birth corrected in his Secondary School Leaving Course Certificate and Higher Secondary Course Certificate. It is brought to the notice of this Court that the Competent Authority for correcting the Date of Birth in the above certificates of the petitioner is the Director of Government Examinations, Chennai. Therefore, this Court Suo-motu impleads him as third respondent in this writ petition. Mr.A.Thiagarajan, learned Advocate takes notice for the third respondent.



The petitioner is directed to approach the third respondent and to give representation along with mark sheets within a period of one week from the date of receipt of a copy of this order to get the date of birth corrected in the Secondary School Leaving Course Certificate and Higher Secondary Course Certificate. On receipt of such representation, the third respondent is directed to consider the representation of the petitioner and pass orders, within a period of one week thereafter. The first respondent is directed to give six (6) weeks time to the petitioner for certificate verification.

7. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

am

To

1.The Chairman,
Tamilnadu Uniformed Service Recruitment Board,
Old Commissioner Police Office Campus,
Pantheon Road,
Egmore, Chennai-08.

2.The District Superintendent of Police,
Trichy, Trichy District.

3.The Director of Government Examinations,
Chennai-600 006.

+1 CC to M/s.K.SIVABALAN, Advocate (SR-100816[F] dated 22/11/2019)

W.P. (MD)No.24735 of 2019
22.11.2019

JMN(22.11.2019) 3P : 5C