

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.1643 OF 2019

ORDER:

When the matter is taken up for hearing, it is noticed that the petitioner has already filed one writ petition i.e., W.P.No.43568 of 2018 challenging the inaction of the respondents in taking any steps to correct the petitioner's date of birth in his service record as 10.02.1971 in place of 10.02.1961 and the same is pending before this Court. During pendency of the said writ petition, the petitioner has filed the present writ petition challenging the memo, dated 03.08.2018, issued by the 4th respondent, wherein the respondents have intimated the petitioner that he would be retiring from service on attaining the age of superannuation on 28.02.2019.

Heard the learned counsel for the petitioner and Sri R. Vinod Reddy, learned Standing Counsel appearing for the respondents 2 to 5.

This Court, having considered the submissions of the learned counsel for the respective parties, is of the considered view that since the writ petition filed by the petitioner seeking correction of his date of birth in his service record is still pending, filing the present writ petition challenging the retirement notice amounts to multiplicity of litigation. The relief sought for in the present writ petition can be sought in the pending writ petition also.

In view of the above observations, this Court is of the considered view that the present writ petition filed by the petitioner is not maintainable and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

ABHINAND KUMAR SHAVILI, J

Dated: 30th January, 2019.

v v