

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.17508 of 2019

ORDER:

Heard Sri P.Govinda Rajulu, learned counsel for the petitioner and Sri N.Vasudeva Reddy, learned Standing counsel for the respondents. With the consent of learned counsel for the respective parties, this Writ Petition is disposed of at the admission stage.

This Writ Petition is filed for the following relief:

“.....Writ of Mandamus declaring the action of the respondents herein in not passing orders on the petitioner's representation dated 06.02.2019 for to continue the date of birth of the petitioner as 1-7-1963 in place of 5-2-1963 in service records at the end of retirement stage without any notice and following the principles of natural justice as illegal, arbitrary and contrary to law and violation of Regulations of the Corporation and further direct the respondents herein, to continue the date of birth of the petitioner as 1-7-1963 in place of 5-2-1963 with all consequential benefits.....”

It has been contended by the petitioner that he was appointed as a Driver in the year 1992 and has been discharging his duties to the best satisfaction of his superiors and everyone concerned. While so, at the time of recruitment, the petitioner's date of birth was entered as 01.07.1963 in service records, but the respondents, without prior permission or without issuing notice, at the fag end of petitioner's retirement, have changed his date of birth as

05.02.1963. In those set of circumstances, petitioner had submitted a representation on 06.02.2019 to the 2nd respondent requesting to continue his date of birth as 01.07.1963 instead of 05.02.1963. But so far, the respondents have not passed any orders on the said representation.

Therefore, learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 06.02.2019 and pass appropriate orders.

Learned Standing counsel appearing for the respondents contends that the case of the petitioner would be considered and appropriate orders would be passed on the representation submitted by the petitioner on 06.02.2019 in accordance with law.

This Court, having considered the rival submissions made by the learned counsel on either side, is of the considered view that this writ petition can be disposed of directing the 1st respondent to consider the representation submitted by the petitioner on 06.02.2019 and pass appropriate orders in accordance with law within a period of eight (08) weeks from the date of receipt of a copy of this order.

With the above observations, this writ petition is disposed of. No order as to costs.

As a sequel, the miscellaneous petitions pending, if any,
shall stand closed.

ABHINAND KUMAR SHAVILI, J

16.08.2019
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