

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 18829 of 2019

Date : 29.8.2019

Between:

M A Kareem S/o Abdul Raheem aged about 53 years
Assistant SubInspector of Police Traffic PS Nizamabad R/o
920454/ 1A Mujahidnagar Malapally Area
Nizamabad 503 001

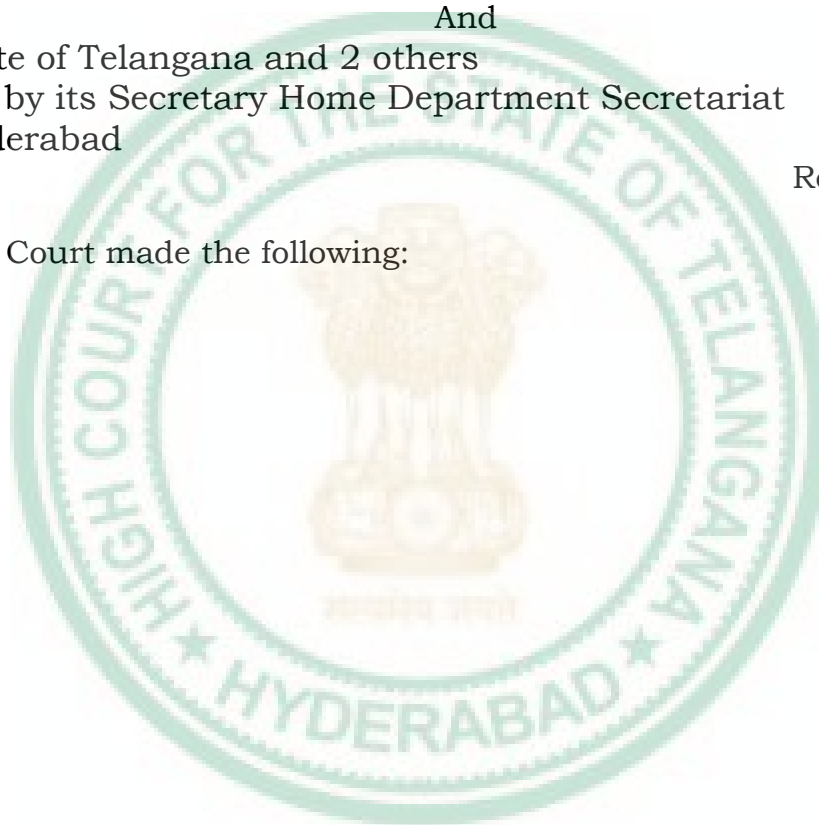
Petitioner

And

State of Telangana and 2 others
rep by its Secretary Home Department Secretariat
Hyderabad

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Home.

2. Petitioner was appointed as civil police constable on 15.4.1984. He was later promoted as Assistant Sub Inspector and in the said capacity he is working as on today. According to petitioner, his actual date of birth is 2.5.1966 and the same was disclosed in the school records. However, he alleges that at the time of opening of service book, the date of birth was wrongly recorded as 1.1.1965, therefore erroneous entry made in the service record should be corrected and his date of birth should be recorded in the service record as 2.5.1966.

3. Petitioner made application on 13.5.2008 to correct his date of birth in service record and the same was referred to the competent authority and competent authority further referred it to the Director General of Police for clarification. The Director General of Police on 21.8.2008 clarified that in accordance with Rule 2 (1) of A.P. Public Employment (Recording and Alteration of Date of Birth) Rules, 1984, employee must make application for correction of date of birth in the service book within one month from the date on which he joins the duty and has to make a declaration to that effect. It is further informed that according to Rule 2 (5) of the Rules, 1984, date of birth as determined based on the school records or any proof produced at the time of entering into service and entered in the service record shall be final and no

subsequent variation can be the basis for correction. Following the said clarification, the application of the petitioner for correction of date of birth was rejected by memo dated 13.10.2008. It is not stated as to why petitioner did not avail further remedies against such rejection and makes a fresh application for correction. The fresh application was considered by the order impugned in the writ petition whereunder request of the petitioner is rejected reiterating the rule position on correction of date of birth. In fact, having regard to the fact that petitioner joined service in the year 1994 and at the time of joining service his date of birth was recorded in the service records as 1.1.1965 and decision was also made on the application made by the petitioner for correction as early as 13.10.2008, it is not open to petitioner to agitate for correction of date of birth after long lapse of time after joining service. I do not see any error in the decision warranting interference.

Accordingly, writ petition is dismissed. No costs. Miscellaneous petitions, if any pending, are closed.

DATE: 29-8-2019
TVK

P NAVEEN RAO,J

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