

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

W.P.No.22052 of 2019

Date: 1.10.2019

Between :

Kanukantla Kumaraswamy

Petitioner

And

The Singareni Collieries Company Ltd.,
rep. by its Chairman and Managing Director
and others.

Respondents



This court made the following :

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ORDER:

Petitioner joined in the Respondent Company as Badli Worker in the year 1985. Based on the entry in the Secondary School Certificate, the date of birth of the petitioner was recorded as 8.10.1959 and he is due to retire from service with effect from 31.10.2019.

2. This writ petition is filed contending that the petitioner's date of birth was wrongly shown in the SSC, therefore he applied for correction of date of birth in the SSC records and the matter is likely to be considered in his favour, therefore, he is entitled to be continued in service in anticipation of correction of his date of birth by the Director of School Education. By proceedings in Ref.No.CRP/CST/PF/2019/103 dated 18.2.2019, petitioner was informed that based on the entry in the service record he would attain the age of superannuation and is due to retire with effect from 31.10.2019. As of now, petitioner's date of birth in SSC is not corrected and unless and until it is corrected, he cannot set up claim to correct entry in the service record. Thus, it is premature to contend that his case would be likely to be considered by Board of Secondary Education and he may be continued in service till he attains the age of superannuation as per the correct date of birth in school records sought by petitioner. No such relief can be granted and even if it is corrected, this Court cannot grant such a relief, rather it is for the employer to undertake such correction.

4. Be that as it may, leaving it open to the petitioner to pursue his grievance for correction of date of birth in the service record as and when school records are corrected, the writ petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

Date: 1.10.2019
DA

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