

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 22.09.2020

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

Writ Petition No.13076 of 2020

R.Sundaramurthy

... Petitioner

-Vs-

1 The Executive Engineer  
EE/O/Tambaram, Tamil Nadu Generation  
and Distribution Corporation Ltd.,  
Chennai 600 045.

2. The Assistant Engineer  
Pallavaram East  
Tamil Nadu Generation and Distribution  
Corporation Ltd., SE/EDC/Chennai South  
Chennai 600 043.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1<sup>st</sup> and 2<sup>nd</sup> respondents to consider the representation made by the petitioner requesting them to accept my date of birth as 06.12.1969 in the Service Record maintained by the 1<sup>st</sup> and 2<sup>nd</sup> respondents.

For Petitioner : Mr.T.Ramachandran

For Respondents : Mr.Karthik Rajan  
Standing Counsel

O R D E R

The matter was taken up through Web-hearing.

2. The case of the petitioner is that he is working as a Sweeper under the respondents having been appointed in the year 2003. According to him that in his service book his date of birth was wrongly entered as 06.12.1959 instead of 06.12.1969. According to him, he had received confirmation of his appointment in the year 2003 and he had not notice the wrong entry of date of birth in the Service Register.

3. The petitioner claims that in his Family Card and Aadhar Card, his date of birth is mentioned as 06.12.1969 and on that basis he submitted a representation on 02.03.2020 to the

respondents for correction of his date of birth. Since no action was forthcoming, he is before this Court.

4. This Court is unable to appreciate as to how the entry in the Aadhar Card or Family Card or even for that matter the Identity Card issued by the respondents can be the basis for correction of date of birth. In any event, there is a limitation aspect to the correction of date of birth and admittedly the petitioner was confirmed in service in 2003 and such request for correction of date of birth cannot be made after 17 years from the date of his appointment.

5. Moreover, the claim for a different date of birth on the basis of Aadhar Card or Family Card is not legally valid and such entries in these cards are not unimpeachable evidence in support of the petitioner's claim of his date of birth as 06.12.1969. For correction of date of birth, this Court cannot issue a Writ of Mandamus as the date of birth is purely a matter of evidence which cannot be decided by this Court in its extraordinary jurisdiction under Article 226 of the Constitution of India.

6. In the above circumstances, this Court is of the view that the writ petition is not maintainable and even otherwise on merits, this Court does not find that the prayer is maintainable and hence the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy//

Sub Assistant Registrar

KST

To

- 1 The Executive Engineer, EE/O/Tambaram, Tamil Nadu Generation and Distribution Corporation Ltd., Chennai 600 045.
2. The Assistant Engineer, Pallavaram East  
Tamil Nadu Generation and Distribution  
Corporation Ltd., SE/EDC/Chennai South  
Chennai 600 043.

W.P.No.13076 of 2020

VSNII (CO)

GS (22/10/2020)