

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 22.01.2021
CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.1344 of 2021
(Heard through VC)

C.Selvakumar

.. Petitioner

-vs-

1.The District Collector,
District Collectorate,
Ariyalur.

2.The Personnel Assistant (Development),
The District Collector,
District Collectorate,
Ariyalur.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents to consider the application for the recruitment of the post of Overseer/Junior Draftsmen in Ariyalur District taking in to account of date of birth of the petitioner as 05.07.1985 based on the birth certificate dated 10.12.2020.

For Petitioner : Mr.A.Nagarathinam

For Respondents : Mr.J.Pothiraj
Special Government Pleader

O R D E R

The petitioner has come forward with this writ petition seeking a direction to the respondents to consider the application for the recruitment of the post of Overseer/Junior Draftsmen in Ariyalur District taking into account of date of birth of the petitioner as 05.07.1985 based on the birth certificate dated 10.12.2020.

2. Mr.J.Pothiraj, learned Special Government Pleader takes notice on behalf of the respondents. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, at the time of joining the school, his date of birth was mentioned as 25.05.1985 in the school records. When he applied for the post of Overseer/Junior Draftsmen, one of the conditions mentioned in the application is that the candidate shall not exceed 35 years as on 01.07.2020. After came to know the fact that the date of birth mentioned in the school certificates is not correct, he applied for the birth

certificate before the Registrar Office, Jayankondam. He obtained his birth certificate issued by the Government of Tamil Nadu on 10.12.2020 and that the original date of birth is 05.07.1985 and is got to be registered on 10.07.1985.

4. Admittedly, the Date of Birth in all the school certificates has been mentioned as 25.05.1985 for the best reason known to the parents of the petitioner. The date of birth has been given as 25.05.1985, probably, for the purpose of entry into schooling. If the date of birth was 05.07.1985, the petitioner would not have admitted in the school. Now after 35 years, the petitioner has come forward with the relief that the original date of birth is 05.07.1985 and it needs to be altered.

5. This Court has already dealt with the similar issue in W.P.(MD) No.15490 of 2020 (*P.Jeyachandran vs. The Director of School Education Department and 3 others*) and passed a detailed order on 06.11.2020, holding that there is nothing wrong in a person having two date of births. The original date of birth is for the purpose of marriage and another for the purpose of employment. Once there is an entry in the school certificate, that alone will be taken into account for the purpose of employment and the question of alteration of date of birth based on the birth certificate may not arise at all. If this writ petition is allowed, everybody will knock at the doors of this Court with similar request in one way or the other after several decades.

6. Hence, finding no merits in the petition, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS.VIII)

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector,
District Collectorate, Ariyalur.
- 2.The Personnel Assistant (Development),
The District Collector,
District Collectorate, Ariyalur.

+1cc to The Government Pleader Sr.No.4025

AKM/17.03.21 /2P-4C/

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