

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.126 of 2015

G.Dharmaraj

... Petitioner

Vs

The Director of School Education (Personal),
College Road,
Nungambakkam, Chennai - 600 006.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to pass orders on the representation of the petitioner dated 31.10.2014 and to change the petitioner's date of birth as 05.12.1977 instead of 05.02.1977 in the service register of the petitioner.

For Petitioner : Mr.S.Doraisamy

For Respondent : Mr.A.Rajaperumal, AGP

ORDER

The relief sought for in this writ petition is to direct the respondent to pass orders on the representation of the petitioner dated 31.10.2014 relating to change his date of birth as 05.12.1977 instead of 05.02.1977 in the service register.

2. According to the petitioner, he was selected as Junior B.T.Assistant on 09.07.2004 and pursuant to the order dated 25.04.2012 passed by the respondent, he joined as a Graduate Teacher at Krishnagiri. Subsequently, he was transferred and posted at Government Higher Secondary School, Pandur in Kancheepuram District. It is the grievance of the petitioner that he was born on 05.12.1977. However, in the Transfer Certificate issued by the Government College, Orathanadu, his date of birth was wrongly mentioned as 05.02.1977, instead of 05.12.1977. Hence, he submitted a representation dated 31.10.2014 to the respondents requesting to change his date of

birth in the service record. Finding no response on the said representation, this writ petition has been filed for the aforesaid relief.

3.Upon notice, the respondent filed a detailed counter affidavit, inter alia stating that the petitioner failed to give proper representation within a period of five years from the date of entry into the Government service and the representation dated 31.10.2014 sent by him was not received by the respondent so far.

4.The averment so made in the counter affidavit has been refuted by the learned counsel for the petitioner.

5.Considering the rival submissions, this Court, taking note of the nature of the relief sought herein, directs the respondent to consider the petitioner's representation dated 31.10.2014, with respect to his change of date of birth in the service record and pass appropriate orders, on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6.This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mtl

To

The Director of School Education (Personal),
College Road,
Nungambakkam, Chennai - 600 006.

+1cc to the Government pleader Sr.13762
+1cc to M/s.S.Duraisamy, Advocate Sr.12850

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rsi[co]
srg 09/07/2021