



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.11277 of 2019

and

W.M.P(MD) Nos.8611 and 8612 of 2019

WEB COPY

P.Rajan

...Petitioner

Vs.

1.The State of Tamilnadu  
Rep. by it's Director,  
Department of Survey and Settlement,  
Survey House,  
Chepauk,  
Chennai-05.

2.The Assistant Director,  
Department of Survey and Settlement,  
Tirunelveli.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.Gna.3/31572/2018 (Ni.A) dated 19.11.2018 passed by the first respondent and quash the same as illegal and consequently direct the respondents to permit the petitioner to retire from service on 31.08.2020 instead of 31.08.2019 with consequential benefits within the stipulated time fixed by this Court.

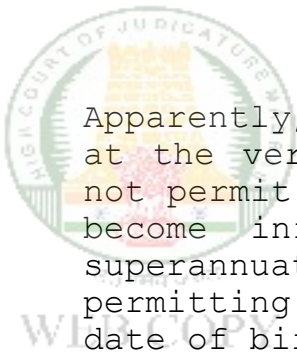
For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.M.Muniyasamy,  
Additional Government Pleader

**O R D E R**

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

2.The regulation governing Government servants requires alternation of date of birth to be made within five years from the date of entry into the service. In the present writ petition, the petitioner seeks for relaxation of the period of five years and seeks for direction to permit him to retire on 31.08.2020.



Apparently, the request for altering his date of birth has been made at the verge of his retirement, which the service regulation does not permit. Apart from the same, the petitioner's prayer itself has become infructuous, since the date on which he seeks to be superannuated, had lapsed. In the absence of any regulation permitting for relaxation of the five years period for alteration of date of birth, I do not find any merits in this writ petition.

3. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

cp

**NOTE:**

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

1. The Director  
State of Tamilnadu  
Department of Survey and Settlement,  
Survey House, Chepauk,  
Chennai-05.
2. The Assistant Director,  
Department of Survey and Settlement,  
Tirunelveli.

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-13390[F] dated 24/03/2021)

**W.P. (MD) No.11277 of 2019**

**22.03.2021**

RRS (10.05.2021) 3P 4C