



W.P.No.15633 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.15633 of 2018

and

W.M.P.Nos.22914 of 2019 & 18566 of 2018

Anjalakchi

... Petitioner

-Vs-

1. The District Collector,
Collectorate, Villupuram District,
Villupuram.

2. The Commissioner,
Mugaiyur Panchayat Union,
Manampundi Post,
Villupuram District.

3. The Head Master,
ARR Government Higher Secondary School,
Perichanur, Mugaiyur Union,
Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, direct the 1st respondent to conduct an enquiry and alter the petitioner's correct dated of birth (29.7.1966) as per school certificate in her service book with in time limit stipulated by this Hon'ble Court.



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For Petitioner : Mr.R.Subburaj
For Respondents :
For R1 & R3 : Mr.V.Arun,AAG, assisted by
Mr.Mythreyee Chandru, Spl.GP
For R2 : Mr.Kumaravel

ORDER

The relief sought for in the present writ petition is to direct the first respondent to conduct the enquiry and alter the date of birth of the petitioner, as per the school certificate, in her service book.

2. The petitioner was appointed as a cook in the third respondent Higher Secondary School on 11.03.1993. The date of birth was entered at the time of her appointment and the said date of birth continued for long years. Though, the petitioner states that she had submitted applications to change her date of birth, in the years 1993 and 2006 but there is no proof to establish the same. Thus, a mere statement in this regard cannot be trusted upon. However, the petitioner submitted an application on 11.06.2018, which alone is enclosed in the typed set of papers filed along with the writ petition.



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3. The learned counsel for the petitioner states that the date of birth of the writ petitioner was erroneously entered in her service records. Therefore, it is to be altered as per the school certificate.

4. The learned Additional Advocate General, appearing on behalf of the respondents and the learned special Government pleader, objected the said contention by stating that the petitioner had given her date of birth falsely and the date of birth entered in the service record is continuing for several years and she was allowed to retire from service on 30.06.2018. The very entry made, based on the statement of the petitioner, itself was found erroneous. That apart, the petitioner was allowed to retire from service in the year 2018, and since then, already four years lapsed.

5. Alteration of the date of birth is to be considered, only if any application is filed within a period of five years from the date of appointment and by conducting an enquiry, based on evidence and documents.



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6. In the present case, the petitioner has not established even assemblance, for the purpose of considering the relief as sought for and accordingly, the writ petition stands **dismissed**. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

18.11.2022

Index : Yes
Speaking order
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To

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