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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2022

CORAM:

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.3716 OF 2014

M.Krishnamoorthy

... Petitioner

Vs

1. The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
2. The District Collector,
Karur District, Karur.
3. The Revenue Divisional Officer,
Karur.
4. The Tahsildar,
Karur.

.. Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamu, calling for the records to (1) Letter Ka. No. Va. Ni.3(3)/42680/2013 dated 4.11.2013 of the 1st respondent and the consequential proceedings issued by the 2nd and 3rd respondents in Letter Na.Ka.No.A5/16939/2013 dated 08.11.2013 and Na.Ka.No.A3/3177/2013 dated 11.11.2013 respectively and to quash the same and to issue consequentially direct to the 1st respondent to cause enquiry to be conducted by the competent Authority into the petitioners claim for alteration of his date of birth and to obtain the Enquiry Report from the concerned authorities provided under Rule 49(a) of the General Rules for Tamilnadu State and Subordinate service rules and to pass appropriate orders thereon within a fixed time.

For Petitioner : Mr.I.Kabilan
for Mr.M.Ravi

For Respondents : Mr.M.Bindran
Additional Government Pleader.



O R D E R

The claim of the writ petitioner for alteration of Date of Birth was rejected by the respondents.

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2. The writ petitioner was working as Village Administrative Officer (VAO). Prior to his appointment as VAO, the petitioner served as Part Time Village Officer. The grievance of the writ petitioner is that his actual Date of Birth is 30.11.1956 and his Date of Birth has been mistakenly entered in his Service Record as 04.08.1955. Thus, the petitioner was allowed to retire from service. The present writ petition itself has been filed by the writ petitioner at the age of 57 years and now he is aged about 66 years.

3. The fact remains that the petitioner submitted an application seeking alteration of Date of Birth at the fag end of his service and more so, in the verge of his retirement. The Courts have consistently held that such claims for alteration of Date of Birth during fag end of retirement cannot be entertained by the authorities.

4. In the present case, the petitioner has already retired from the service long back and now receiving pension. The Date of Birth of the writ petitioner has been originally entered in his SSLC book and he accepted the said entry for several years, even at the time of appointment and only at the fag end of his career, he submitted an application seeking alteration of Date of Birth. The Date of Birth is to be altered by following certain procedures within the time limit contemplated. Such stale claims made after several years cannot be entertained and therefore, this Court is not inclined to consider the claim of the writ petitioner after this length of time. Thus, the writ petition is devoid of merits and stands dismissed. No Costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.



2. The District Collector,
Karur District, Karur.

3. The Revenue Divisional Officer,
Karur.

4. The Tahsildar,
Karur.

+1cc to M/s.M.Ravi, Advocate, S.R.No.34012

+1cc to the Government Pleader, High Court, Madras, S.R.No.34229

W.P.No.3716 of 2014

SJ(CO)
RLP(15/06/2022)