



WEB COPY



W.P. No.33646 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.33646 of 2022

T.Mathiyalagan

... Petitioner

vs.

1.The Secretary,
Adi Dravidar and Tribal Welfare Department,
Secretariat,
Chennai – 600 005.

2.The Director,
Adi Dravidar and Tribal Welfare Department,
Chepauk,
Chennai – 1.

3.The District Collector,
Dharmapuri District – 636 705.

4.The District Adi Dravidar and
Tribal Welfare Officer,
Dharmapuri District Collector Office,
Dharmapuri - 636 705.

5.The Special Tashildar,
Adi Dravidar and Tribal Welfare Office,
Dharmapuri – 636 701.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India,
to issue a Writ of Mandamus directing the respondents to pass final



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orders in respect of alteration of date of birth of the petitioner as 09.02.1968 on the basis of verification of genuineness of the birth certificate and Transfer Certificate and consequently to pass appropriate orders to reinstate the petitioner in service as Watchman by considering the petitioner representation dated 18.08.2022.

For petitioner : Mr.N.Velu

For respondents : Ms.E.Indhumathi,
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pass final orders on the petitioner's representation dated 18.08.2022 seeking for alteration of his date of birth as 09.02.1968, within a time frame to be fixed by this Court.

2.The petitioner has retired from service on 30.06.2013. According to him, his correct date of birth is 09.02.1968, but in the service register his date of birth has been wrongly declared, without giving the actual date of birth. The petitioner seeks for alteration of his date of birth. He also relies upon the enquiry conducted by the third respondent with regard to his grievance. The fourth respondent submitted a report on



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25.12.1999 and 12.06.2005 in respect of the petitioner's grievance. The petitioner has given a representation on 18.08.2022 to the respondents requesting them to alter the date of birth to 09.02.1968. Since the representation has not been considered till date, he has filed this writ petition.

3.Heard Mr.N.Velu, learned counsel for the petitioner and Ms.E.Indhumathi, learned Government Advocate, who accepts notice on behalf of the respondents.

4.The petitioner has filed documents/enquiry reports along with this writ petition to substantiate his claim that his correct date of birth is 09.02.1968.

5.No prejudice will be caused to the respondents if the petitioner's representation referred to supra is considered, on merits and in accordance with law, within a time frame to be fixed by this Court.



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6.This Court is not expressing any opinion on the merits of the claim. It is for the respondents to consider the same, on merits.

7.For the foregoing reasons, this Court directs the second respondent to pass final orders, on merits and in accordance with law on the petitioner's representation dated 18.08.2022 seeking for alteration of his date of birth as 09.02.1968 instead of the one wrongly mentioned in the service records, within a period of twelve weeks from the date of receipt of a copy of this order.

8.With the aforesaid direction, the writ petition stands disposed of.

No costs.

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Index: Yes/No
vga



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ABDUL QUDDHOSE, J.

vga

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