



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.06.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P. (MD)No.12718 of 2022

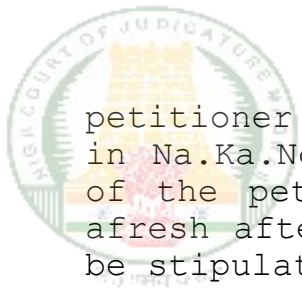
R.Selvamala

... Petitioner

/vs./

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Commissioner of Revenue Administration,
Chepauk,
Chennai-5.
 - 2.The State of Tamil Nadu,
Represented by its Secretary to Government,
School Education Department,
Secretariat,
Chennai.
 - 3.The Commissioner of School Education,
Office of the Commissioner of School Education,
Nungambakkam,
Chennai.
 - 4.The Joint Director of School Education (Personnel),
Office of the Joint Director of School Education,
Chennia-600 006.
 - 5.The Chief Educational Officer,
Office of the Chief Educational Office,
Thanjavur District.
 - 6.The District Educational Officer,
Office of the District Educational Office,
Kumbakonam,
Thanjavur District.
 - 7.The Principal,
District Institute of Teacher Education and Training (DIET),
Aaduthurai,
Thanjavur District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fourth respondent to alter the Date of Birth of the petitioner as 30.04.1970 in all records instead of the existing entry of 25.07.1968 in conformity with the Birth Certificate of the



petitioner in pursuant to the proceedings of the seventh respondent in Na.Ka.No.84/A1/2021, dated 08.02.2021 forwarding the application of the petitioner to the fourth respondent and issue all records afresh after rectifying the said mistake within the period that may be stipulated by this Court.

WEB COPY

For Petitioner : Mr.Mohamed Suhail
for M/s.Ajmal Associates
For Respondents : Mr.A.Sivanupandian
Government Advocate

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein had given a representation to the seventh respondent, dated 08.02.2021 and the same was forwarded to the fourth respondent, seeking to alter the Date of Birth of the petitioner as 30.04.1970 in all records instead of the existing entry of 25.07.1968 in conformity with the Birth Certificate of the petitioner in pursuant to the proceedings of the seventh respondent in Na.Ka.No.84/A1/2021, dated 08.02.2021 forwarding the application of the petitioner to the fourth respondent and issue all records afresh after rectifying the said mistake. Since the said representation was not considered, the present writ petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the fourth respondent herein to consider the petitioner's representation dated 08.02.2021, as forwarded by the seventh respondent proceedings, dated 16.08.2021, on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



5. With the above direction, the Writ Petition stands disposed of. No costs.

WEB COPY

// True Copy //

Sd/-

Assistant Registrar (Crl.Side)

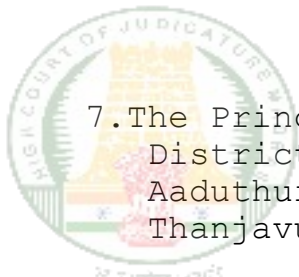
/07/2022

Sub Assistant Registrar(CS)

btr

To

- 1.The Principal Secretary,
The State of Tamil Nadu,
Commissioner of Revenue Administration,
Chepauk,
Chennai-5.
- 2.The Secretary to Government,
The State of Tamil Nadu,
School Education Department,
Secretariat,
Chennai.
- 3.The Commissioner of School Education,
Office of the Commissioner of School Education,
Nungambakkam,
Chennai.
- 4.The Joint Director of School Education (Personnel),
Office of the Joint Director of School Education,
Chennia-600 006.
- 5.The Chief Educational Officer,
Office of the Chief Educational Office,
Thanjavur District.
- 6.The District Educational Officer,
Office of the District Educational Office,
Kumbakonam,
Thanjavur District.



7.The Principal,
District Institute of Teacher Education and Training (DIET),
Aaduthurai,
Thanjavur District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-27614[F]
dated 23/06/2022)

+1 CC to M/s.SPL.GP (SR-27757[F] dated 23/06/2022)

Order made in
W.P.(MD)No.12718 of 2022
Dated:22.06.2022

KG(CO)
GC(06.07.2022) 4P 10C