

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

WEDNESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA
AND
THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT PETITION NO: 40467 OF 2012

Between:

K.V. Satyanarayana Murthy, S/o. K. Sundara Shiva Rao, Aged about 56 years,
Occ: Section Officer (Retd.), High Court of A.P., Hyderabad, R/o. Hyderabad.

...PETITIONER

AND

High Court of Andhra Pradesh, Rep. by its Registrar [General], A.P., Hyderabad.

...RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction(s) more particularly, one in the nature of WRIT OF MANDAMUS directing the Respondent to treat the Petitioner as a person born on 24-12-1955 and to treat him as though he is in service till the date of superannuation as per his original date of birth i.e. 24-12-1955 for all practical purposes and to fix his pension and grant all consequential benefits by holding the action of the Respondent in not doing so and not disposing of the representations made by him to alter his date of birth as 24-12-1955, made within his probation period as required under law at that time and allowing such incorrect date of birth in the records, without passing any orders and retiring him from service based on wrong date of birth as bad, illegal, unconstitutional

I.A. NO: 1 OF 2012(WPMP. NO: 51321 OF 2012)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased fix an early date.

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to fix an early date for disposal of the above W.P. No.40467 of 2012.

Counsel for the Petitioner: SRI. RAVI KONDAVEETI

Counsel for the Respondent: SRI SWAROOP OORILLA (SC FOR TSHC)

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA

AND

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.40467 of 2012

ORDER: *(Per the Hon'ble the Chief Justice Satish Chandra Sharma)*

The petitioner before this Court, a retired employee, who has attained the age of superannuation on 30.06.2012, has filed the present writ petition after his retirement for correction of date of birth.

The petitioner is a retired High Court employee. He became the employee of the High Court on 15.04.1981 and at the time of inception in service, he has mentioned his date of birth as 30.06.1954. Thereafter, he started submitting representations for correction of his date of birth from 30.06.1954 to 24.12.1955. As it was not corrected, he kept on representing in the matter and the High Court kept on rejecting his representations. It has also been stated that an Office Memorandum was issued in the year 1983 seeking certain clarifications from the petitioner and he did clarify about his date of birth and requested the High Court to correct his date of birth as

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24.12.1955. However, the date of birth was not corrected and nothing prevented him to approach this Court at the relevant point of time, when he was very much posted in the same building and same premises, and he has approached this Court only after retirement in the year 2012.

This Court has carefully gone through the averments made in the writ petition as well as the counter affidavit filed by the respondents and is of the opinion that such a belated request in respect of correction of date of birth, that too after retirement, in the peculiar facts and circumstances of the case does not arise.

The writ petition is accordingly dismissed.

The miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

SD/-K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri Ravi Kondaveeti, Advocate [OPUC]
2. One CC to Sri Swaroop Oorilla (SC FOR TSHC) [OPUC]
3. Two CD Copies
4. One Spare Copy

CHR
GJP



HIGH COURT
DATED:30/03/2022

ORDER

W.P.No.40467 of 2012



DISMISSING THE WRIT PETITION
WITHOUT COSTS

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MMA
08/09/2022