



WP.No.19110 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

WP.No.19110 of 2025

T.Venkatapathi

... Petitioner

Vs.

1. The Additional Chief Secretary/
The Commissioner of Revenue Administration,
Chepauk, Chennai-600 005.
2. The Commissioner of Police,
Commissionerate, Avadi,
Chennai-600 054.
3. The Commandant,
3rd Battalion, Tamil Nadu Special Police,
Veerapuram, Chennai-600 055.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Mandamus, to call for the records relating to the impugned order of the 2nd respondent in Na.Ka.No.Establishment 2(1) /455 /22755 /2023 dated 27/06/2024 and quash the same and direct the respondents to enter the petitioner's correct date of birth, namely 03/09/1987 in the petitioner's service register and grant the petitioner all consequential benefits within a time limit to be stipulated by this Honorable Court.



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For Petitioner : Mr.R.Vijayakumar

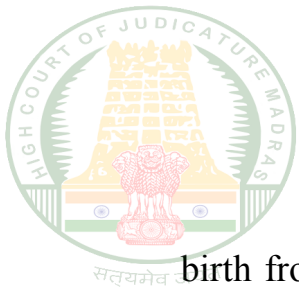
For Respondents : Mr.R.U.Dinesh Raj Kumar
Additional Government Pleader

ORDER

The instant writ petition has been filed seeking the relief of writ of Mandamus, to call for the records relating to the impugned order of the 2nd respondent in Na.Ka.No.Establishment 2(1) /455 /22755 /2023 dated 27/06/2024 and quash the same and direct the respondents to enter the petitioner's correct date of birth, namely 03/09/1987 in the petitioner's service register and grant the petitioner all consequential benefits within a time limit to be stipulated by this Honorable Court.

2. Heard Mr.R.Vijayakumar, learned counsel for the petitioner and Mr.R.U.Dinesh Raj Kumar, learned Additional Government Pleader appearing on behalf of the respondents.

3. The learned counsel for the petitioner would submit that the petitioner joined as a police Constable in 3rd Battalion on 01.02.2011. While so, the petitioner submitted an application on 05.05.2015 to change his date of



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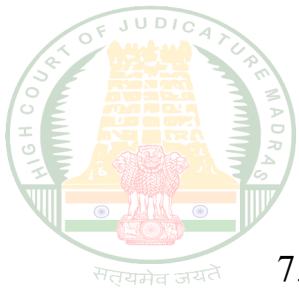
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birth from 18.04.1986 to 03.09.1987, whereas such request was rejected vide impugned order dated 27.06.2024. It is the submission of the petitioner that he submitted his application within a period of five years as stipulated under Section 59(2) of the Tamil Nadu Government Servants (conditions of service) Act, 2016, whereas, without applying mind, the respondents rejected the same by referring all together erroneous fact, as if he has submitted his representation on 03.12.2020. The learned counsel would further submit that in the petitioner's application, the seal of the 3rd respondent was made as 05.05.2015.

4. Per contra, the learned Additional Government Pleader would object the contention raised by the petitioner.

5. I have given my anxious consideration to either side submissions.

6. While looking at the application dated 05.05.2015 made by the petitioner, there is a date seal of the 3rd respondent viz., the appointing authority. Further, on the reverse of the said application, the Inspector of Police, TSP, 3rd Battalion has forwarded the same to their higher-ups for consideration. In such view of the matter, the rejection of the representation dated 03.12.2020 is *ipso facto* not supported by any documents.



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7. Therefore, this Court deems it appropriate to set aside the impugned order dated 27.06.2024 with a direction to the 2nd respondent to reconsider the petitioner's application dated 05.05.2015 on its own merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8. In the result, this writ petition is disposed of with the above directions. There shall be no order as to costs.

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Index :Yes/No

Speaking Order

NCC: Yes/No

To

1. The Additional Chief Secretary/
The Commissioner of Revenue Administration,
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2. The Commissioner of Police,
Commissionerate, Avadi,
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3. The Commandant,
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C.KUMARAPPAN, J.

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