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W.P No.26648 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM

THE HONOURABLE MR. JUSTICE C. KUMARAPPAN

Writ Petition No.26648 of 2025

and

Writ Miscellaneous Petition Nos.29958 & 29960 of 2025

W.Helan Gita Kumari

... Petitioner

..Vs..

1.The Additional Chief Secretary to the Government/
The Commissioner of Revenue Administration,
Department of Revenue Administration and Disaster Management,
Chepauk, Chennai – 600 005.

2.The Director,
Department of Employment and Training,
Alandur Road,
Guindy, Chennai – 600 032.

3.The Additional Commissioner,
Department of Revenue Administration,
Chepauk, Chennai – 600 005.

4.The Additional Director,
Department of Employment and Training,
Alandur Road,
Guindy, Chennai – 600 032.

5.The Regional Joint Director for Training,



W.P No.26648 of 2025

Office of the Zonal Joint Director of Training,
Behind the Government Industrial Training Institute for Women,
G.N.Mills Post, Coimbatore – 29.

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6.The Principal,
Government Industrial Training Institute,
24, Veerapandi Village,
Thekkalur Pirivu,
Anaikatti, Coimbatore – 641 108.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the records relating to the 1st respondent Letter No.Va.Ni.3(3)/2419093/2024 dated 05.04.2025 and quash the same based on the grounds stated-above, thereby directing the respondents 1 to 6 to alter the petitioner's date of birth from 07.07.1965 to 24.04.1966 in the petitioner's service register.

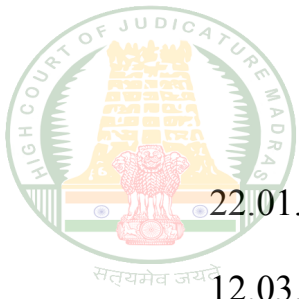
For Petitioner : Mr.S.Shanmuga Sundaram
For Mr.R.Muruga Bharathi

For Respondents : Mr.G.Nanmaran,
Special Government Pleader

ORDER

The instant writ petition has been filed challenging the impugned order dated 05.04.2025 whereby the petitioner's request to change the date of birth from 07.07.1965 to 24.04.1966 was rejected on the grounds that the application for the change of date of birth was submitted after a delay of period of five years, specifically on 25.06.2019.

2. It is the contention of the petitioner that she joined service on



W.P No.26648 of 2020

WEB COPY

22.01.2010 and, within two years of joining, submitted an application on 12.03.2012. Subsequently, by letter dated 15.09.2012, the authorities requested her to submit the application along with 10th standard certificate, and after which, her application was forwarded to the 5th respondent. Meanwhile, on 27.11.2013 the Secretary of the Tamil Nadu Public Service Commission addressed a letter to the 5th respondent instructing the petitioner to submit the application in the required format. Based on such letter, the petitioner submitted a fresh application on 09.03.2015. It is the further contention of the petitioner that the respondents, without considering the previous correspondence, have construed that the application was first submitted on 09.03.2015 and consequently rejected it. Thus, the petitioner submits that it is contrary to the factual position and therefore, prays to interfere with the impugned order.

3.Per contra, the learned Special Government Pleader would contend that any application for a change of date of birth must be submitted within a period of five years and in the prescribed format as per the Rules. Since the petitioner submitted a complete application only on 09.03.2015, the rejection order was issued in accordance with the Rules. Therefore, there is no ground



for interference.

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4. I have given my anxious consideration to either side submissions and also perused the materials available on record.

5. While looking at the impugned order, it is noted that the petitioner's request was rejected on two grounds namely (i) that she submitted an application only on 09.03.2015, and (ii) that the application in the prescribed format was submitted on 25.06.2019. This contention is factually incorrect, as the petitioner had submitted an application in 2012, which is referenced in the Tamil Nadu Public Service Commission's letter dated 17.05.2012 and the communication addressed to the 5th respondent on 15.09.2012. Furthermore, in the letter dated 09.12.2013, the Under Secretary of TNPSC requested the 5th respondent to obtain the application from the petitioner in the proper format. Therefore, it is clear that the petitioner submitted her application within the five-year period as stipulated under the Tamil Nadu Conditions of Service Act. Accordingly, the finding rendered by the respondent is in contravention to the factual position hence the same is liable to be set aside.



W.P No.26648 of 2025

WEB COPY

6. In the result, the writ petition is allowed, and the matter is remanded back to the respondent for fresh consideration in accordance with law, taking into consideration that the petitioner had submitted the application well within the prescribed limitation period. The respondent is directed to pass a final order on the petitioner's application within a period of three (3) months from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petitions are stand closed.

23.07.2025

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Index : Yes

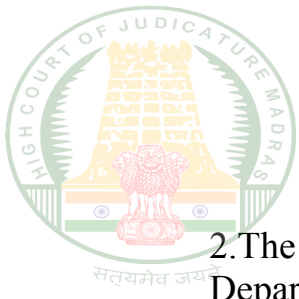
Speaking Order : Yes /No

Neutral Citation Case: Yes/No

To:

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The Commissioner of Revenue Administration,
Department of Revenue Administration and Disaster Management,
Chepauk, Chennai – 600 005.

5/7



W.P No.26648 of 2020

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C. KUMARAPPAN, J.

ssi



WEB COPY



W.P No.26648 of 2025

W.P.No.26648 of 2025

23.07.2025