

W.P.(MD)No.15020 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15020 of 2025

Selvaraj

... Petitioner

-VS-

1.The District Collector
Sivagangai District, Sivagangai.

2.The Block Development Officer (Village Panchayat),
Kariyapatti Panchayat Union Office,
Virudhunagar District.

3.The Director,
Rural Development and Panchayat Raj,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka.No.A1/4000/2024 dated 07.04.2025 passed by the second respondent and quash the same as illegal and consequently direct the respondents 1 to 3 to correct the petitioner's date of birth as '05.10.1968' instead of '10.05.1965' in the service record of the petitioner within the time limit that may be stipulated by this Court.



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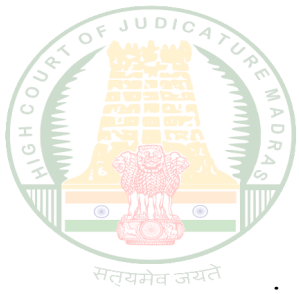
For Petitioner : Mr.P.T.Ramesh Raja
For R1 : Mr.S.R.A.Ramachandran
Additional Government Pleader
For R2 : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

This Writ Petition has been filed seeking to quash the impugned order in Na.Ka.No.A1/4000/2024 dated 07.04.2025 passed by the second respondent and consequently, to direct the respondents 1 to 3 to correct the petitioner's date of birth as '05.10.1968' instead of '10.05.1965' in the service record of the petitioner.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

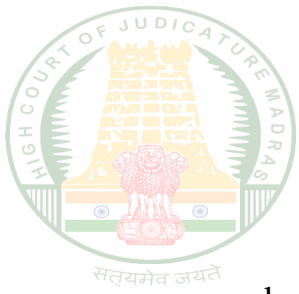
3. The petitioner submits that he was initially appointed as Junior Assistant on 06.03.2013 through the Tamil Nadu Public Service Commission (TNPSC) and was later posted as Assistant at the Manamadurai Panchayat Union, Sivagangai District. His actual date of birth is 05.10.1968, as evidenced by his 12th mark sheet, college transfer certificate and birth register. However, due to a clerical



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error in his SSLC certificate, his date of birth was wrongly entered as '10.05.1965', which was inadvertently carried into his service records at the time of appointment.

4. The petitioner further submits that in order to rectify the said error, he published the correct date of birth (05.10.1968) in the Tamil Nadu Government Gazette in June 2014. Subsequently, on 23.07.2014, he submitted a representation to the second respondent along with all supporting documents requesting correction of his date of birth in the service register. The application was acknowledged and assigned No.2433. The said request was made within five years from the date of entry into service, thus, fully complying with Rule 49 of the Tamil Nadu Subordinate Service Rules. Despite multiple representations and the availability of sufficient documentary evidence, the petitioner's request remained pending for over 10 years without any action. Left with no other alternative, the petitioner approached this Court by filing W.P.(MD)No.2372 of 2025, which was disposed of on 31.01.2025 with a direction to the second respondent to consider the petitioner's representation and pass orders on merits within 12 weeks. However, to the petitioner's shock, the second respondent



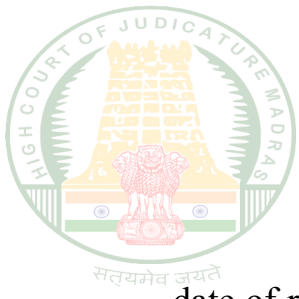
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passed the impugned order dated 07.04.2025 in Na.Ka.No:A1/4000/2024, rejecting his request solely on the ground that the petitioner had not enclosed the Gazette notification or a detailed explanation, despite the fact that these documents were already submitted earlier.

5. The petitioner also submits that the rejection appears to have been passed in a hurried and mechanical manner, without proper consideration of the documents on record and in violation of the directions issued by this Court. Therefore, the petitioner is constrained to file the present writ petition challenging the impugned order and seeking appropriate relief for correction of his date of birth in the service records.

6. Heard both sides.

7. Considering the above said facts and circumstances of the case, there shall be a direction to the second respondent herein to consider the petitioner's claim, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months from the



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date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the second respondent to consider the same on its own merits.

8. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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03.06.2025

To:-

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