



W.P.(MD)No.224 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.224 of 2017

T.Kanagasabai

... Petitioner

Vs.

1.The Registrar,
The Employees' Provident Fund Appellate Tribunal,
New Delhi 110 092.

2.The Assistant Commissioner (Pension),
Employees Provident Fund,
Tiruchirapalli 620 008.

3.The Joint Registrar/Managing Director,
Thanjavur District Central Cooperative Bank Ltd.,
Thanjavur 613 009.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a
Writ of Certiorarified Mandamus, calling for the records relating to the original

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impugned order passed by the first respondent in File No.D-51/15, dated 08.01.2016 and quash the same as illegal and further directing the first respondent to alter the petitioner's date of birth as 25.12.1994 as per the confirmation letter dated 20.08.2015 of the third respondent within the time contemplated in the provision of law without delay.

For Petitioner	:	Mr.G.M.Xavier
For R1	:	Tribunal
For R2	:	Mr.I.Robert Chandra Kumar
For R3	:	Mr.D.Shanmugaraja Sethupathi

ORDER

This writ petition has been filed seeking a writ of Certiorarified Mandamus to call for the records relating to File No.D-51/15 dated 08.01.2016 issued by the Provident Fund Appellate Tribunal and to quash the same. The petitioner also further sought for consequential direction to the first respondent to alter the petitioner's date of birth as 25.12.1994 basing on the confirmation letter issued by the third respondent dated 20.08.2015 in its records.



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WEB COPY 2. Heard Mr.G.M.Xavier, learned counsel for the petitioner, Mr.I.Robert Chandra Kumar, learned counsel for the second respondent and Mr.D.Shanmugaraja Sethupathi learned counsel for the third respondent.

3. When this matter came up for consideration on an earlier occasion on 14.03.2025, the learned counsel for the second respondent submitted that the respondents 1 and 2 have already required the third respondent to furnish the relevant information in support of their letter dated 20.08.2015 to enable the respondents 1 and 2 to consider the request of the petitioner and accordingly, addressed a letter dated 11.11.2024 to the third respondent. Under those circumstances, this matter was adjourned to enable the learned counsel for the third respondent to respond. Docket order passed on 14.03.2025 reads as under:-

“When the matter is taken up for consideration, it is brought to the notice of this Court by the learned counsel appearing for R2 that the R2 has required to respondent No.3 to furnish certain information by addressing a letter dated 11.11.2024 and further submitted that in case if the respondent No.3 submits the information in support of the



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request made by the petitioner for the change of date of birth, respondent No.2 would consider the same in accordance with law.

In the light of the above, the learned counsel appearing for R3 is directed to get instructions as to whether any information is furnished to the respondent No.2 pursuant to the letter dated 11.11.2024 or not pursuant to the letter dated 11.11.2024.

List the matter on 04.04.2024”

4.Today, when the matter is taken up for consideration, Mr.D.Shanmugaraja Sethupathi, learned counsel appearing for the third respondent submits that on receipt of the letter dated 11.11.2024, efforts have been made by the third respondent for taking out the service records of the petitioner, who retired from service as early as in the year 2002 and to furnish appropriate information to the respondents 1 and 2.

5.In the light of the above, this Court does not deem it necessary to examine the matter on merits before this Court. Accordingly, this Writ Petition



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stands disposed of, directing the third respondent to furnish the available records in support of their letter dated 20.08.2015 within a period of 8 weeks from the date of receipt of a copy of this order to the respondents 1 and 2 and on receipt of such information, the second respondent shall take appropriate action for altering the date of birth of the petitioner in accordance with law within a further period of four weeks. No costs.

04.04.2025

Neutral Citation: Yes / No
Index : Yes / No

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