



WEB COPY



WA No. 1894 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

and

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1894 of 2023

and

CMP No. 16364 of 2023

Rajamannan
S/o. Boorasamy,
33/36, Kanagasabai Nagar,
2nd Main Road, Chidambaram,
Cuddalore, Tamil Nadu 608 001.

..Appellant(s)

Vs

1. The Registrar
Annamalai University,
Annamalainagar 608 002,
Tamil Nadu, India

2. The Finance Committee
Annamalai University,
Annamalainagar 608 002,
Tamil Nadu, India.

..Respondent(s)

Prayer: Appeal filed under clause 15 of the Letters Patent to allow the above Writ Appeal by setting aside the order dated 07.11.2019 in WP No.27983 of 2019.



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For Appellant(s):

Mr. Naveen Kumar Murthy,
for Mr.G.V.Mohan Kumar

For Respondent(s):

No Appearance for Respondents

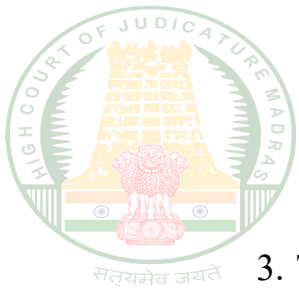
JUDGMENT

(Judgment of the Court was delivered by N.Senthilkumar J.)

The present intra Court Appeal is filed challenging the order passed in WP No.27983 of 2019 dated 07.11.2019.

2.The brief facts of the case are as follows:

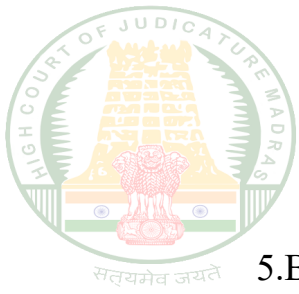
The Appellant was initially appointed as Lecturer in Physics Department with the 1st Respondent University on 07.01.1994 and later he was promoted as Professor in Physics Department. According to the appellant, his date of birth is 07.02.1963, whereas, it was wrongly mentioned as 01.10.1961 in his SSLC Certificate. Therefore, the Appellant filed a suit for declaration in O.S. No. 542 of 2004 before the District Munsif Court, Panruti, declaring his date of birth as 07.02.1963 and the same was decreed by the civil Court declaring the date of birth of the Appellant as 07.02.1963 by its Judgment and decree dated 16.06.2005.



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3. Thereafter, the appellant requested the 1st Respondent for alteration of his date of birth in the records. However, the 1st respondent rejected the said request of the appellant by order dated 15.03.2017 on the ground that the appellant had made the request beyond the period of five years, as contemplated under Rule 49 of the Tamil Nadu Subordinate Service Rules and that the request was not supported by any entries in SSLC, School, College or University records, birth records or records of the local bodies.

4. The learned counsel for the Appellant submitted that Appellant's original date of birth is 07.02.1963, whereas in the SSLC certificate it was wrongly mentioned as 01.10.1961. He further contended that the syndicate had no jurisdiction to make entries in the service record. Apart from that, before altering his date of birth, he was not issued with any notice and therefore, the order was passed in violation of the principles of natural justice. He further contended that Rule 49 of the Tamil Nadu Subordinate Service Rules would not apply to the appellant, since the University was brought under the purview of said rules only in the year 2013 and therefore, the appellant would not be governed by the said service rules.



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5. Be that as it may, the fundamental rule which governs the alteration of date of birth is that the appellant ought to have made his request for change of date of birth within a period of five years from the date of entry into service as contemplated under Rule 49 of the Tamil Nadu Subordinate Service Rules. When the Appellant has not made any application within the time prescribed under the said rule, the declaration obtained from the civil court would not help him, except to establish the date of birth declared in the decree.

6. It is also to be noted that the Appellant has now superannuated from service and therefore, the claim now made by him is beyond the rule governing service jurisprudence.

7. The question regarding the jurisdiction of the syndicate and the applicability of the Rules governing government servants are factors which cannot be determined at this stage, as the appellant has already superannuated from service. Admittedly, the appellant entered into service in the year 1994 and sought alteration of his date of birth only in the year 2004, after a period of ten years, which is beyond the period of five years prescribed under the Rules. Therefore, the contentions raised by the learned counsel for the appellant cannot



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be accepted. Therefore, there is no infirmity in the order passed by the writ Court.

8. In view of the above, this writ appeal is dismissed as devoid of merits.

No costs.

(S.M.S.,J.) (N.S.,J.)
04-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

sai

To

1. The Registrar
Annamalai University,
Annamalainagar 608 002,
Tamil Nadu, India

2. The Finance Committee
Annamalai University,
Annamalainagar 608 002,
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