

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated:- 27 SEP 1994

APPLICATION NUMBER: 1105 of 1994.

APPLICANTS:

Sri. K. K. Janardanan v/s. The Divisional Personnel Officer,
To. Southern Railways, Bangalore-23.

RESPONDENTS.

1. Sri. K. K. Janardanan,
Retired Senior Clerk,
Kavintethkkethil,
Muttathukonam,
Elavumkhitta Post,
KERALA STATE.
PIN CODE: 689625.

2. Sri. A. N. Vengapala Gowda,
Advocate, No. 8/2, Upstairs,
R. V. Road, Bangalore-560004.

Subject:- Forwarding of copies of the Orders passed by the
Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above
mentioned application(s) on Twelfth September, 1994.

Issued on

27/9/94

of
/c

for

Se Shanthi 27/9
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.1105/94

MONDAY THIS THE TWELFTH DAY OF SEPTEMBER, 1994

MR. JUSTICE P.K. SHYAMSUNDAR VICE CHAIRMAN

K.K. Janardanan,
Aged 57 years,
Retd. Senior Clerk,
Kavintethakkethil,
Muttathukonam,
Elavumkhitta Post,
Pin 689 625
Kerala State

Applicant

(Party in person)

v.

The Divisional Personnel Officer,
Southern Railway,
Bangalore - 560 023

Respondent

(By learned Standing Counsel
for Railways, Shri A.N.
Venugopal)

ORDER

MR. JUSTICE P.K. SHYAMSUNDAR, VICE CHAIRMAN

Shri A.N. Venugopal files reply today
which is placed on record.

2. In this application, the applicant is seeking correction of his date of birth as entered in the official records. He approached the higher authorities in the year 1987 to do the needful. All attempts made by him to get the authorities to change his date of birth remained futile. After having literally slept over the matter thereafter, he surfaced before us in the year 1992 in O.A.No.295/92 which we dismissed



mainly on the ground that it was too late for the applicant to tell the world that he was born later and not earlier as mentioned in his service records. The applicant had then pleaded that in the case of one Muthumanikayam, which was similar to his own, latter was given a benefit of revision of date of birth whereas the applicant had been denied the same. However, we did give leave to the applicant to make a representation to the authority stating that all things being equal, his case be treated on par with the case of Muthumanikayam and something be done. But, however, on the earlier occasion, the application stood dismissed as barred by limitation, latches etc. The concession given to the applicant to go back to the Department to seek relief was not with the intention of furnishing a fresh cause of action. Taking the cue from our observation supra, he went back to the Department relying on the case of Muthumanikayam. The Department has since disposed of his representation in that behalf as untenable. In the order, it was pointed out by the Department that the latter i.e. Muthumanikayam had got the date of birth entry in the SSLC certificate corrected by the appropriate authority. When that was done, they had to act on the revised entry thereby giving him the benefit of a latter extended tenure. In the instant case, the applicant's date of birth is the same as recorded in the SSLC certificate. No steps have been taken so far to get the date of birth corrected in the

SSLC Certificate which is the official record for reckoning the age of superannuation. Some certificate from a Tahsildar was produced before the Department to show that the man mentioned in the School transfer certificate and the admission register of the school appeared to be one and the same. The certificate issued by the Tahsildar is totally irrelevant and does not have the sanctity of modifying the entry in the SSLC certificate is what the Department say. I agree with that conclusion. The date of birth appearing in the SSLC certificate having remained unchanged it is that date of birth which has been acted upon for the purpose of computing the applicant's age of superannuation. It becomes then quite clear that on the basis of the official record, applicant's superannuation is without any flaw. He cannot now have any grievance at all. Matters relating to date of birth cannot be taken for granted. It is an important event in the life of an official who somehow gets an extended lease or tenure on the basis of the date of birth. For Government purposes, the entry in the SSLC certificate is treated as official record and hence so long as that entry stands without any modification that can be done only by the appropriate authority, everybody else will have to abide and rely on that entry. This application, therefore, fails and is dismissed. No costs.

22/10/2019
S. G. Shrivastava
Senior Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore

VICE CHAIRMAN /

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In the Central Administrative Tribunal
Bangalore Bench
Bangalore

ORDER SHEET

Review Application No. in OA 1105/94 of 1994

98/

Applicant

KK Janardhanan

Advocate for Applicant

In Person

Respondent

Div Prnl Officer, S.Rly, B'lore

Advocate for Respondent

Date	Office Notes	Orders of Tribunal
		<p>1994</p> <p>id</p> <p>the Review Petition</p> <p>the Petitioners to</p> <p>Merely file the</p> <p>Petition is unnecessary</p> <p>close the file of</p> <p>the Petition is</p> <p>filed on the date of</p> <p>which was contained on</p> <p>Merits & desirous of</p> <p>Merely to file the Petition</p> <p>application was intimated</p> <p>order to the Respondent</p> <p>the order, an order</p> <p>is an order, it is to be</p> <p>own is irretrievable in loss</p> <p>that is if the Petition is opposed</p> <p>the Petition is opposed</p> <p>the Petition is opposed</p>

Date	Office Notes	Orders of Tribunal
		<p>To the above Court. The above I believe been for veracity be for guarantee is in effect in accordance with affection of the Court of the NOMS</p> <p>Sdt 16/11/94</p> <p>Sdt 16/11/94</p> <p>TRUE COPY</p> <p><i>Alwyn</i> 17/11/94 Section Officer Central Administrative Tribunal Bangalore Bench Bangalore</p>