

IN THE HIGH COURT FOR THE STATE OF TELANGANA

**AT HYDERABAD
(Special Original Jurisdiction)**

**THURSDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 11906 OF 2026

Between:

Sri Adhikarapu Veera Venkata Satyanarayana, S/o Kamaiah, Age. 52 years,
Occ.Artisan Grade-IV, KTPS-V Stage, Paloncha, Bhadradi Kothagudem
District, Telangana.

...PETITIONER

AND

1. Telangana State Power Generation Corporation Limited (TGGenco), Rep.
by its Chairman and Managing Director, Vidyut Soudha, Hyderabad.
2. The Chief Engineer (O & M), KTPS-V and VI Stages, Paloncha, Bhadradi
Kothagudem District.
3. The Superintending Engineer (O & M), KTPS-V Stage, Paloncha.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the
circumstances stated in the affidavit filed therewith, the High Court may be pleased
to 1. to issue an appropriate Writ, Order or Direction, more particularly one in the
nature of Writ of Mandamus by setting aside the Memo.No.CE/O & M/KTPS-V &
VI/SE(A & P)/AS(Art-Estt)/ADE(Art-Estt) JAO (Art-Estt) D.No.1783/25-26
Dated.12.02.2026 & declaring the action of the Respondents in fixing the Petitioner's
date of birth as 10.04.1965 & retiring him w.e.f. 30.04.2026 as illegal, arbitrary, &
unconstitutional. 2. Direct the Respondents to correct the Petitioner's date of birth as
03.04.1973 in all service records. 3. Consequently, direct the Respondents to allow

the Petitioner to continue in service till he attains the age of superannuation as per the correct date of birth.

I.A. NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the retirement order dated 11.11.2025 & permit him to continue in service. Pending disposal of the above writ petition.

Counsel for the Petitioner: SRI. N JOY

**Counsel for the Respondents: SRI SRINIVASA SRIKANTH,
ST&ING COUNSEL**

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE SRI JUSTICE K.SARATH

W.P.No.11906 of 2026

Date:30.04.2026

Between:

Sri Adhikarapu Veera Venkata Satyanarayana.

...Petitioner

And

Telangana State Power Generation Corporation Limited
(TGGENCO), rep. by its Chairman & Managing Director,
Vidyut Soudha, Hyderabad and others.

...Respondents

ORDER:

Heard Sri N. Joy, learned counsel for the petitioner
and Sri Srinivasa Srikanth, learned Standing Counsel for
the respondents.

2. In the instant writ petition, the petitioner is
questioning the impugned order vide Memo No.CE/O&M/
KTPS-V&VI/SE(A&P)/AS/Art-Estt)/ADE(Art-Estt) JAO (Art.
Estt) D.No.1783/25-26 dated 12.02.2026 in rejecting his
request for correction of date of birth and warning the
petitioner to be more careful and not to repeat the same in

future and the action of the respondents in fixing the date of birth of the petitioner as 10.04.1965 instead of 03.04.1973 in his Service Records as illegal and arbitrary.

3. Learned Counsel for the petitioner submits that the petitioner was initially engaged as contract labourer in the respondent Corporation and as per the decision of the then Government, the petitioner was absorbed as Artisan Grade-IV through I.D.No.1201668 and presently working as Artisan Grade-IV in the current division. At the time of absorption, the petitioner's date of birth was erroneously recorded as 10.04.1965 basing on his Aadhar Card and subsequently after realization that his correct date of birth is 03.04.1973 and not 10.04.1965, he has taken steps to rectify his date of birth in his Aadhar Card and Health and Age Certificate and corrected the date of birth as 03.04.1973 and the same was verified by the authorities and recorded in his Service Book. While it being so, the respondents have issued notice to the petitioner along with others on 11.11.2025 stating that the petitioner has to retire from service on 30.04.2026 basing on the incorrect

date of birth as 10.04.1965. Immediately, the petitioner has made a representation dated 20.11.2025 for correction of his date of birth and thereafter, the respondents have issued show cause notice and called for explanation to the petitioner on 08.01.2026 for submitting two different Health & Age Certificates issued by the different doctors and two different Aadhar Cards. Without considering the explanation submitted by the petitioner, the respondents have passed the impugned order dated 12.02.2026 and rejected his request for correction of date of birth as 03.04.1973.

4. Learned Counsel for the petitioner further submits that the date of birth of the petitioner was recorded correctly in the Service Book as 03.04.1973 and thereafter, without notice to the petitioner, the same was corrected by the respondent authorities and recorded as 10.04.1965. The said action of the respondents is against the principles of natural justice and contrary to the Rules. Once the date of birth recorded in the service register is final and without any notice and without any proceedings, the respondents

cannot alter the date of birth of the petitioner and requested to allow the writ petition by directing the respondents to correct the petitioner's date of birth as 03.04.1973 in all service records and continue him in service till he attains the age of superannuation as per the correct date of birth.

5. On the other hand, learned Standing Counsel for the respondents basing on the counter submits that at the time of absorption of his services, the petitioner has submitted his Bio-data vide OPIS ID No.TSGKTPS5N600397 dated 06.03.2017 wherein the date of birth of the petitioner was mentioned as 10.04.1965 and also at Sl.No.13 of the OPIS data, he has self-declared that the school name and address is N/A. The respondent Corporation has framed certain guidelines ought to be fulfilled/satisfied by the Outsourced Personnel to become eligible for absorption and constituted a Committee vide T.G.O.O.No.98 dated 01.06.2017 to verify and scrutinize bio-data uploaded in the OPIS for absorption of the outsourced personnel. The petitioner whose services were

engaged as outsourced personnel by a Contractor became eligible for absorption on par with others. As such, the petitioner has been absorbed as Artisan Grade-IV as he has declared that he has no educational qualification. The petitioner at the time of joining into service as Artisan Grade-IV has submitted the Health and Age Certificate issued by Dr. B. Janardhan Rao, General Civil Surgeon, Government Area Hospital, Kothagudem dated 28.02.2017 and Aadhar Card bearing No.530328581808, Acknowledgment Slips of Residence and Community and Date of Birth Certificate which was self-certified by his signature.

6. Learned Standing Counsel for the respondents further submits that the petitioner having not studied in any Educational Institution, chose to furnish Health and Age Certificate issued by the Medical Officer not below the rank of Civil Surgeon of the District Hospital, as required, for arriving at the age. While so, the Aadhar Card and Health and Age Certificate as furnished by the petitioner at

the relevant point of time of absorption clearly demonstrated his date of birth as 10.04.1965.

7. Learned Standing Counsel further submits that at the time of opening of Service Register of the Artisans, certain columns were required to be filled up by them as a part of prescribed procedure i.e., Name, Surname, Educational Qualifications, Community, Date of Birth, Mother Tongue and Family Member Details etc., which are basically well known to them and then have to record his finger print impressions before the concerned Controlling Officer. As such, the requisite columns of the service register were filled up by the petitioner and carried it to the respondent Office on 21.12.2020 for the purpose of registering finger print impressions and further certification/attestation. The Controlling Authority, upon verification found discrepancy in the date of birth entry made by the petitioner as against the date of birth filled in the OPIS Form pertaining to the petitioner. The said discrepancy was immediately informed to the petitioner and the Controlling Authority in consonance with the

material available on record and in the presence of the petitioner has modified the date of birth as 10.04.1965, which has been acknowledged by the petitioner. In view of the same, there arose no occasion to serve a formal notice upon him for modification of the date of birth in the service register, which was carried out at the initial stage of certification.

8. Learned Standing Counsel for the respondents further submits that the Standing Orders, Service Rules and Regulations for Artisans, 2019 came into force from 08.09.2020 as per T.G.O.O.No.100/CGM (Adm)/2020 dated 19.12.2020. As per Chapter XIV at Sl.No.45 deals with 'Date of Birth' and as per the said Rules, if an Artisan is unable to produce (illiterate & Semi-literate), the date of birth recorded in OPIS shall be final, since the date of birth was recorded in OPIS as per the declaration/documents produced by them at the relevant time. The writ petitioner has not disputed the date of birth of the particulars in the earlier stage of his service and also did not choose to

dispute at the time of correction of his service Book by the Controlling Officer.

9. Learned Standing Counsel for the respondents further submits that the respondents have issued appointment orders on 29.08.2017 to the petitioner and in the said order, the date of birth was mentioned as 10.04.1965 and the same was accepted by the petitioner. The representation of the petitioner dated 16.11.2025 with request to alter his date of birth from 10.04.1965 to 03.04.1973 and to delete his name from the retirement list of the year, 2026 has been examined commensurate with the material evidence available on record and rejected for correction of his date of birth and warned to be more careful and not to repeat the same in future in view of the nature of service of the petitioner. The petitioner's attempt to change the date of birth in the service record is only an afterthought to avail wrongful gain for extension of his services for a period of 8 years, which is against the law prescribed. The petitioner cannot have two different Medical Certificates showing the different Date of Birth and

two Aadhaar Cards and also the entry with regard to the Date of Birth in the service register as 10.04.1965 was not a bona-fide clerical error on the part of the respondents since the same was based on the OPIS declaration given by the petitioner himself. The petitioner has also produced the study and conduct certificate at a later point of time only as an afterthought. Had he really possessed the same at the time of filling up the bio-data in OPIS, he ought to have adduced it as a proof of date of birth, but he failed to do so and he requested to dismiss the writ petition as there are no valid grounds to interfere with the impugned order.

10. Learned Standing Counsel for the respondents has relied on the following Judgments;

- 1. General Manager, Barsua Iron Ore Mines Vs. Vice President United Mines Mazdoor Union¹**
- 2. G.M.Bharat Coking Coal Ltd., West Bengal vs. Shib Kumar Dushad²**

11. After hearing both sides and perusing the material on record, this Court is of the considered view that the

¹ 2024 SCC OnLine SC 491

² (2000) 8 SCC 696

petitioner is presently working as Artisan Grade-IV in the respondent Corporation and his services were absorbed in the respondent Corporation on 29.08.2017. Initially, the petitioner was worked as Contract/Outsourcing employee and in view of policy of absorption, the petitioner's case was considered for absorption as Artisan Grade-IV. At the time of absorption, the petitioner has submitted his bio-data form/OPIS, wherein he has mentioned his date of birth as 10.04.1965 basing on the Health and Age Certificate issued by Dr. B. Janardhan Rao, General Civil Surgeon, Government Area Hospital, Kothagudem dated 28.02.2017. At the time of submitting bio-data form, the petitioner has submitted his PAN card, Aadhar card with date of birth as 10.04.1965. Basing on the bio-data form and OPIS, the respondents have issued appointment order to the petitioner on 29.08.2017 and his date of birth was mentioned in the appointment order as 10.04.1965.

12. The respondents have issued retirement notice to the petitioner along with others on 11.11.2025 stating that the petitioner's date of birth as 10.04.1965 and the

petitioner is due to retire from service on 30.04.2026. In response to the same, the petitioner made representation dated 20.11.2025 to correct his date of birth as 03.04.1973 instead of 10.04.1965. Thereafter, the respondents have issued a show cause notice to the petitioner for providing two Health and Age Certificates and two Aadhar Cards and passed the impugned order by giving warning to him not to repeat in future and rejected his claim for altering the date of birth as 03.04.1973.

13. The contention of the petitioner is that as per his service book, his date of birth was recorded as 03.04.1973, but the same was altered by the respondent authorities as 10.04.1965 without any notice to the petitioner and the same is arbitrary and illegal and violation of principles of natural justice. The basis for the contention of the petitioner is that after absorption into service, the petitioner with the help of his son has changed the date of birth in Aadhar card and also obtained Health and Age Certificate once again on 27.03.2019 mentioning his date of birth as 03.04.1973 and also made corrections in the Pan

card with date of birth as 03.04.1973 and the same was entered in the service records.

14. On the other hand, the contention of the respondents is that the service record of the petitioner was prepared on 21.12.2020. The basic particulars has to be filled up by the employee concerned and accordingly, the petitioner, after absorption into service after two years has obtained the documents from the authorities concerned without any permission and he has filled up the columns mentioning his date of birth as 03.04.1973 and the same was corrected by the Controlling Authority while opening his service record on 21.12.2020 in the presence of the petitioner and he has also counter signed after verifying the records along with the Controlling Authority.

15. It clearly shows that at the time of absorption into service, in the Health and Age Certificate, Aadhar Card and Pan Card submitted by the petitioner, his date of birth shown as 10.04.1965. When the respondent authorities want to open the service register, the petitioner has

obtained new Health and Age Certificate dated 27.03.2019 issued by Dr. Mukkanteswara Rao, Medical Superintendent Area Hospital, Paloncha and also filed corrected Pan Card with the date of birth as 03.04.1973. At the time of submission of explanation dated 23.01.2026 to the show cause notice, the petitioner has mentioned that *"as I have not completed school education I have been taken as Grade-IV Artisan basing on the Aadhar and Medical Certificate and my birth of year has been declared as 1965 as I am illiterate, and my son basing on EPFO records changed my date of birth in Aadhar as 1973 and the said Aadhar has been given to Higher Officials at that time"*.

It clearly shows that at the time of absorption as Artisan, he has submitted Health and Age certificate as 10.04.1965 and after two years, he has obtained the said certificate without any approval from the competent authority and now claiming his age as 03.04.1973.

16. As per T.G.O.O.No.216/CGM (HR)/2017 dated 29.07.2017, certain guidelines were issued for

absorption of Outsourced Personnel. As per the said guidelines, all the respondent authorities are directed to obtain the bio-data of outsourced personnel in the format prescribed and if the Outsourced Personnel with no qualifications shall have to appear before the Medical Board for determination of their age for deriving their date of birth after joining the duty and the same was followed by the respondents in the case of the petitioner and the petitioner has submitted his bio-data along with the Health and Age Certificate issued by the competent Medical Officer, which clearly shows that his date of birth as 10.04.1965. The petitioner has submitted another Health and Age Certificate after absorption of duty after two years, and it cannot be taken into account for determination of the age of petitioner as 03.04.1973.

17. With regard to the service conditions of the Artisans, the Standing Orders, Service Rules and Regulations for Artisans, 2019 came into force w.e.f 08.09.2020 as per T.G.O.O.No.100/CGM(Admn)/2020 dated 19.12.2020. As per the Standing Orders in Chapter-

IV of the said Rules clearly mentioned that in the absence of SSC Certificate or Date of Birth Certificate to determine the date of birth of an Artisan, the date of birth recorded in OPIS shall be final. It is the duty of the concerned offer to see that all the entries are duly made and attested.

18. Rule 45 of Chapter-XIV of the Standing Orders, Service Rules and Regulations for Artisans, 2019 Rules is extracted as under;

"45. DATE OF BIRTH

- (a) Every Artisan must declare, on his/her first appointment or on being required to do so by the Corporation his/her date of birth according to the Christina Era, and produce confirmatory evidence like Matriculation or School Leaving Certificate or a relevant extract from the births and deaths register duly attested by the concerned authority, as may be acceptable to the Corporation. If an Artisan is unable to produce (Illiterate & semi-literate), the Date of Birth recorded in OPIS shall be final, since the Date of Birth was recorded in OPIS as per the declaration/documents produced by them at the relevant time.

As per the above Rules, it clearly shows that if the Artisan is unable to produce his date of birth certificate, the date of birth recorded in OPIS shall be final and the respondent

authorities have passed the present impugned order basing on the OPIS.

19. In **General Manager's** Case (1 supra), the Hon'ble Supreme Court held in para Nos.20 and 21, which reads as under;

18. Undoubtedly, a decision on the issue of date of birth is as important for the employer as it is for the employee. Reference in this regard can be made to *Bharat Coking Coal Ltd. v Shib Kumar Dushad*, (2000) 8 SCC 696. As expressed in *Union of India v C Rama Swamy*, (1997) 4 SCC 647, "... the court also ought not to grant any relief even if it is shown that the date of birth, as originally recorded, was incorrect because the candidate concerned had represented a different date of birth to be taken into consideration obviously with a view that that would be to his advantage.

XXX

"20. Although, we have examined the matter from the lens of fraud as well, in view of our discussions hereinabove, the said aspect does not merit deeper probe. We leave it at that. For the present, it would suffice to refer to a pronouncement of recent vintage by this Court in *Karnataka Rural Infrastructure Development Limited v. T P Nataraja*, (2021) 12 SCC 27, where earlier precedents in *Home Department v. R Kirubakaran*, 1994 Supp (1) SCC 155; *State of Madhya Pradesh v. Premal Shrivastava*, (2011) 9 SCC 664; *Life Insurance Corporation of India v. R Basavaraju*, (2016) 15 SCC 781 and *Bharat Coking Coal Limited v. Shyam Kishore Singh*, (2020) 3 SCC 411 were

considered. Although this Court in *T P Nataraja* (supra) was looking at the facts therein, in the context of the Karnataka State Servants (Determination of Age) Act, 1974, the principle of law laid down would equally apply insofar as change of date of birth in service records is concerned, with which we concur:

"11. Considering the aforesaid decisions of this Court the law on change of date of birth can be summarised as under:

(i) application for change of date of birth can only be as per the relevant provisions/regulations applicable;

(ii) even if there is cogent evidence, the same cannot be claimed as a matter of right;

(iii) application can be rejected on the ground of delay and laches also more particularly when it is made at the fag-end of service and/or when the employee is about to retire on attaining the age of superannuation."

21. In view of the aforesaid, this Court finds that the much-delayed disclosure of the date of birth as 12.03.1955 by the respondent no. 3, coupled with his initial declaration and the admitted position that based on such initial declaration, he had received employment, as otherwise based on 12.03.1955, he could not have been legally appointed due to being under-age, there is no manner of doubt that the respondent no. 3, irrespective of his real date of birth, for the purpose of employment under the appellant, cannot be allowed the purported rectification/correction of date of birth to 12.03.1955. He would have to, necessarily, be content with his service and benefits accounted taking his date of birth as 27.12.1948.

The above findings of the Hon'ble Supreme Court are squarely apply to the facts of the present case.

20. In the instant case, the respondent authorities, basing on OPIS form and the documents submitted by the

petitioner at the time of absorption of services and also appointment order, have taken into account and recorded the date of birth as 10.04.1965. The Standing Orders, Service Rules and Regulations for Artisans, 2019 came into force on 08.09.2020 and issued on 19.12.2020 and as per Rule 45 of the said Rules, the Date of Birth recorded in OPIS shall be final. In the instant case, the service record of the petitioner was opened on 21.12.2020 and the petitioner has counter signed the same. After joining of two years of service, he has obtained Health and Age Certificate and corrected the date of birth in his Aadhar Card and Pan Card claiming another date cannot be acceptable. In view of the same, there is no illegality or irregularity in the impugned order passed by the respondent authorities for rejecting the correction of date of birth of petitioner as 03.04.1973 instead of 10.04.1965 and in view of the same, the writ petition is liable to be dismissed.

21. In view of the above findings, the Writ Petition is dismissed. No order as to costs.

22. Miscellaneous petitions, if any pending in this writ petition, shall stand dismissed.

SD/- M. OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

To, One fair copy to the HON'BLE MR JUSTICE K.SARATH
(For his Lordship's Kind Perusal)

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DAN
GJP



HIGH COURT

CC TODAY

DATED: 30/04/2026

ORDER

WP.No.11906 of 2026



DISMISSING THE WRIT PETITION

WITHOUT COSTS

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PVL
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