

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

WEDNESDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND**

THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT APPEAL NO: 1370 OF 2025

Writ Appeal under clause 15 of the Letters Patent to set-aside the impugned order dated 23.07.2025 passed in WP. No. 23601 of 2016 in so far as no further are required in view of interim order granted on 30.08.2016 by considering the date of birth as 03.05.1960 and consequently direct the respondents to extend all the consequential benefits from the date of retiring the appellant from 31.05.2018 by considering correct date of birth as 03.05.1963 in the interest of justice and fair play. on the file of the High Court.

Between:

N. Madhusudhan Reddy, S/o. Late Ram Reddy, Aged 62 years, Occ. Retd. ADC, E. No. 110518, R/o. HIG-11, Housing Board Colony, Devarakonda Road, Nalgonda, Nalgonda District.

.....APPELLANT/PETITIONER

AND

1. Telangana State Road Transport Corporation, Rep. by its Joint Managing Director, Bus Bhavan, Musheerabad, Hyderabad.
2. The Depot Manager, TSRTC, Bus Depot, Nalgonda, Nalgonda District.
3. The Accounts Officer, O/o. Regional Manager, TSRTC, Nalgonda Region, Nalgonda.
4. The Depot Manager, TSRTC, Bus Depot, Devarakonda, Nalgonda District.

.....RESPONDENTS/RESPONDENTS

I.A.NO:2 OF 2025

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 direct the respondents to extended all the consequential benefits from 31.05.2018 till the petitioner reached the age of 60 years as per the date of birth as 03.05.1963 pending disposal of writ appeal.

Counsel for Appellant : SRI V.NARASIMHA GOUD

**Counsel for Respondents : SRI PANAKANTI SATISH KUMAR (SC FOR TGSRTC
ZONE 111)**

The Court made the following judgment : -

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.1370 of 2025

Dated: 03.12.2025

Between:

Sri N.Madhusudhan Reddy

...Appellant

and

Telangana State Road Transport Corporation,
Rep. by its Joint Managing Director, Bus Bhavan,
Musheerabad, Hyderabad,
and three others.

...Respondents

JUDGMENT:

Learned counsel Sri V.Narasimha Goud appears for
the appellant.

Sri Panakanti Satish Kumar, learned Standing
Counsel for Telangana State Road Transport Corporation,
appears for the respondents.

2. Heard the learned counsel for the parties.
3. The impugned writ petition related to a date of birth controversy. The appellant, who was the writ petitioner, alleged that his actual date of birth was 03.05.1963, but the service record showed it as 27.02.1958. On superannuation notice being issued on 01.09.2015 intimating the appellant of his date of retirement i.e., 29.02.2016, the appellant approached this Court in the impugned writ petition. The learned writ court called for the original record from the respondents – Corporation, and passed an order on 30.08.2016 to the following effect:

“This Court called for the original record from the respondents and noticed that the date of birth of the petitioner recorded in the Service Register as 3.5.1960 and is altered as 27.02.1958. In his application dt.24.02.86, after his appointment as casual driver, the petitioner gave a declaration stating that he is enclosing copy of the transfer certificate, Employment Card and local candidate certificates and if they are found not correct, he would be ready for termination of the service, apart from taking criminal proceedings. The Transfer Certificate filed at that time clearly shows that as May, 1960 and was studying 6th class.

This evidence is sufficient as the said documents were filed way back in 1986.

In the circumstances, the petitioner shall be continued in service till he attains the age of superannuation by taking the date of birth as 3.5.1960 until further orders."

4. The writ petition remained pending and the appellant superannuated reckoning his age from the date of birth as 03.05.1960 as was found from the service record and reportedly altered to 27.02.1958. When the matter was finally argued, the appellant claimed that his date of birth ought to have been treated as 03.05.1963 on the basis of a Transfer Certificate bearing No.262891 issued by the Zilla Parishad High School, Pochampally. However, the learned writ court disposed of the writ petition in terms of the interim order and observed that the appellant was entitled to the difference of monetary/service benefits, if any, from the date of premature retirement from 01.03.2016 till he was taken on duty on 16.02.2017 and finally superannuated treating his date of birth as 03.05.1960. Questioning the impugned findings of the learned writ court, learned counsel for the appellant has sought to draw

the attention of this Court to the information obtained under the Right to Information Act, 2005, and the Transfer Certificate said to have been issued by the Zilla Parishad High School, Pochampally, with the reiteration that the date of birth of the appellant is 03.05.1963.

5. We are unable to agree with the contention of the learned counsel for the appellant for the following reasons.

When the learned writ court, after calling for the original record, recorded a categorical finding that the date of birth of the appellant should be treated as 03.05.1960 instead of 27.02.1958, if at all the said finding affected the appellant's claim of date of birth, the said finding ought to have been questioned in an appropriate proceeding by the appellant even though the writ petition was pending. On the other hand, a perusal of the Transfer Certificate shows overwriting at certain places which does not lend credence to the document relied upon by the appellant in a writ proceeding. As a matter of fact, the date on which the application for Transfer Certificate was made at serial No.17 is 10.02.1988, whereas the date of the Transfer

Certificate is 10.02.1981, on the basis of which the appellant claims to have been born on 03.05.1963. By the order dated 30.08.2016, the appellant has got the relief from the learned writ court which, after examining the original service record, was convinced that his date of birth ought to have been treated as 03.05.1960 instead of 27.02.1958.

6. In view of the aforesaid reasons, we do not find any merit in this appeal and the same is accordingly dismissed. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

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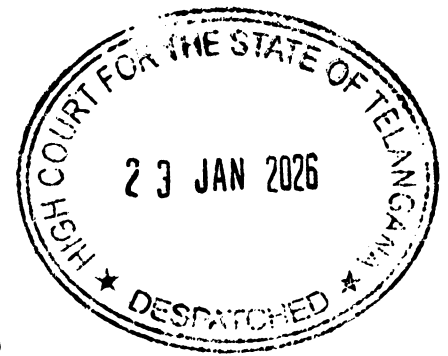
1. One CC to SRI V.NARASIMHA GOUD, Advocate [OPUC]
2. One CC to SRI PANAKANTI SATISH KUMAR (SC FOR TGSRTC ZONE 111) Advocate [OPUC]
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HIGH COURT

DATED:03/12/2025



JUDGMENT

WA.No.1370 of 2025

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