

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

WP(C).No. 1123 of 2015 (M)

PETITIONER :

**RAIHANATH N.A., 21 YEARS
D/O.ABDUL RAHIMAN, NAMBIPUNNILATH HOUSE
CENTHRAPPINNI P.O., THRISSUR
NOW RESIDING AT AYYARIL CHELUKAYIL HOUSE, U-BAZAR
ERIYAD PO, THRISSUR-680666.**

BY ADV. SRI.K.I.SAGEER IBRAHIM

RESPONDENT(S) :

- 1. PASSPORT OFFICER
REGIONAL PASSPORT OFFICE, PANAMPILLY NAGAR
KOCHI-682036**
- 2. THE OFFICER IN CHARGE,
PASSPORT SEVA KENDRA, ALUVA
MOOSA VAIDYAR MEMORIAL BUILDING
ALUVA-PERUMBAVOOR ROAD, ALUVA-683 101**
- 3. UNION OF INDIA,
REP. BY ITS SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS,
PARLIAMENT ANNEXE
NEW DELHI-110 001.**

R1 TO R3 BY ADV. SRI.N.NAGARESH, ASGI

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No. 1123 of 2015 (M)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT P1: A TRUE COPY OF THE PASSPORT ISSUED BY THE 1ST RESPONDENT
DATED 07.05.2013.**

**EXHIBIT P2: A TRUE COPY OF THE CERTIFICATE ISSUED BY KOORIKUZHI JUMA
MASJID MAHALLU COMMITTEE, KOORIKUZHI DATED 13.12.2014.**

**EXHIBIT P3: A TRUE COPY OF THE CERTIFICATE ISSUED BY THE KERALA STATE
WAQF BOARD DATED 19.12.2014.**

**EXHIBIT P4: A TRUE COPY OF THE CERTIFICATE OF MARRIAGE ISSUED BY THE
LOCAL REGISTRAR, PERINJANAM GRAMA PANCHAYATH DATED
08.12.2014.**

**EXHIBIT P5: A TRUE COPY OF THE AFFIDAVIT IN ANNEXURE K FORM SUBMITTED
BY THE PETITIONER DATED 17.12.2014.**

**EXHIBIT P6: A TRUE COPY OF THE ONLINE APPOINTMENT RECEIPT ISSUED BY
THE RESPONDENTS.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

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P.R. RAMACHANDRA MENON, J.

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W.P.(C)No.1123 OF 2015
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Dated this the 21st January, 2015

J U D G M E N T

Petitioner is the holder of Indian Passport bearing **No.L1396824**, a copy of which is produced as Ext.P1. At the time of issuance of Ext.P1, the name of the petitioner was shown as 'Raihanath Zainudheen' and the name of the spouse as 'Zainudeen Cheerakkattil'. It is stated that the marriage of the petitioner with Zainudeen Cheerakkattil was dissolved on 19.03.2014 and the same was certified as per Exts.P2 and P3 certificates issued by Koorikuzhi Juma Masjid Mahallu Committee and Kerala State Wakf Board. Thereafter, a subsequent marriage was contracted with one Mohammed Sagin on 08.11.2014, as borne by Ext.P4 marriage Certificate issued under Rule 11(1) of the Kerala Registration of Marriages (Common)Rules 2008. By virtue of change in circumstances, the petitioner approached the first respondent /Passport Officer for causing necessary changes in the Passport and Ext.P5 affidavit was also submitted by the petitioner explaining the

actual facts and figures. Though the petitioner was given online appointment vide Ext.P6, the grievance of the petitioner still stands to be redressed. Hence this writ petition for giving appropriate directions.

2. Heard the learned Asst. Solicitor General appearing for the respondents.

3. After hearing both the sides, this Court finds that the earlier marriage with Zainudeen Cheerakkattil having been certified as dissolved, as evident from Exts.P2 and P3 and in view of subsequent Marriage, which has also been registered under the rules, as evident from Ext.P4, the petitioner is entitled to have necessary correction effected in the passport showing her name correctly and also showing the name of th spouse as Mohammed Sagin, as explained in Ext.P5 affidavit.

4. In the above circumstance there will be a direction to the first respondent/Passport Officer to consider the application preferred by the petitioner in the light of the above observation, verifying the factual position, if necessary and effect necessary corrections, at the earliest, at any rate, within one month from the date of receipt of a copy of this judgment. The petitioner

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shall produce a copy of this judgment along with a copy of the writ petition before the first respondent for further steps.

**P.R.RAMACHANDRA MENON
JUDGE**

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