

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

WP(C).No.2325 of 2015 (M)

PETITIONER:

**SHAMSUDDIN ATHIMANNIL,AGED 39 YEARS,
MOHAMMED ATHIMANNIL,ATHIMANNIL HOUSE,KIDANGAZHI,
KARUVAMBRAM P.O.,MANJERI,MALAPPURAM DISTRICT-676123.**

**BY ADVS.SRI.P.K.MOHAMED JAMEEL
SRI.RAFFEEKH KOTTACKAL**

RESPONDENTS:

- 1. UNION OF INDIA,REP. BY THE SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS,NEW DELHI.**
- 2. THE PASSPORT OFFICER,REGIONAL PASSPORT OFFICE,
INTERCITY ARCADE,DOWN HILL POST,MALAPPURAM,
KERALA-676519.**

R1&R2 BY SRI.N.NAGARESH,ASSISTANT SOLICITOR GENERAL OF INDIA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 30-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.2325 of 2015 (M)

APPENDIX

PETITIONERS EXHIBITS:

**EXHIBIT P1:THE TRUE COPY OF THE ONLINE APPLICATION RECEIPT HAVING
REFERENCE NO:13-1009206985.**

**EXHIBIT P2:TRUE COPY OF THE RELEVANT PAGE OF THE SECONDARY SCHOOL
LEAVING CERTIFICATE,HMY HIGH SCHOOL,MANJERI.**

RESPONDENTS EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No.2325 OF 2015
.....

Dated this the 30th January, 2015

J U D G M E N T

The petitioner has approached this Court seeking for a direction to the respondents to correct the entry in respect of his date of birth in the passport.

2. The case of the petitioner is that, the actual date of birth of the petitioner is **01.05.1975**, as borne by Ext. P2 relevant extract of SSLC book, whereas the same happened to be entered wrongly in the passport as **01.09.1970**. It is stated that, though petitioner preferred a request for correction of date of birth, the same was not entertained by the second respondent and hence is before this Court.

3. The learned counsel for the petitioner relies upon the judgment of this Court in ***Swapna Siju Vs. Union of India (2012 (4) KHC 38)*** in support of the position that, as far as the applicants born before 26.01.1989 are concerned, copy of extract of the SSLC book can be relied on for correction of date of birth without insisting for birth certificate.

4. The learned Central Government Counsel appearing for

the respondents submits that the petitioner will have to file an on-line application along with an affidavit explaining how the mistake has occurred. It is also stated that the existing passport has to be surrendered.

5. In the said circumstances, the petitioner is relegated to file an on-line application for correction of date of birth along with **the original/existing passport**, an affidavit and the documents relied upon by the petitioner, on which event, the same shall be accepted and **after verification of the genuineness of the documents,** appropriate orders shall be passed within a period of three weeks.

The Writ Petition is disposed of. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps.

P.R.RAMACHANDRA MENON
JUDGE

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