

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 2874 of 2015 (H)

PETITIONER(S):

**JINI RAJAN, AGED 32 YEARS,
D/O.RAJAN, RESIDING AT KUNNUVILA, HARIHARAPURAM P.O.
AYROOR, VARKALA, TRIVANDRUM DISTRICT.**

**BY ADVS.SMT.MINI ELIZABETH GEORGE
SMT.G.VIDYA**

RESPONDENTS:-:

**1. THE SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS, SOUTH BLOCK
GOVERNMENT OF INDIA, NEW DELHI - 110 001.**

**2. THE REGIONAL PASSPORT OFFICER,
PASSPORT OFFICE, KAITHAMUKKU, TRIVANDRUM - 695 023.**

BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. TRUE PHOTOCOPY OF THE 1ST PAGE OF THE PASSPORT WITH NO:G 2098717.

EXHIBIT P2. TRUE PHOTOCOPY OF THE BIRTH CERTIFICATE.

EXHIBIT P3. TRUE COPY OF THE ONLINE APPLICATION APPOINTMENT RECEIPT FOR PASSPORT.

EXHIBIT P4. TRUE COPY OF THE REQUEST LETTER DATED 21.01.2015.

EXHIBIT P5. TRUE COPY OF THE CIRCULAR DATED 29.10.2007 ISSUED BY THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R.RAMACHANDRA MENON, J.
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W.P.(C) No.2874 of 2015
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Dated this the 4th day of March, 2015

JUDGMENT

The petitioner is the holder of the passport bearing No. G 2098717. The place of birth wrongly shown in the passport as 'Sasthankarai' is an inadvertent mistake, which according to the petitioner is actually **Paravur**. The petitioner wants to effect correction the place of birth in the passport with reference to the entires in Exts.P2 and P3 and accordingly, the 2nd respondent was approached by filing necessary application. The petitioner has been given to understand that, unless the petitioner obtains some favourable orders from a competent Court of law, the request made by the petitioner will not be acceded to, and hence the writ petition.

2. A detailed statement has been filed by the 3rd respondent, of which paragraph 3 and 4 are extracted below for reference:

“3. As per the records maintained in the office of the 2nd respondent Ms.Jini Rajan D/o Shri. Rajan, initially obtained Passport No.G2098717 dated 19.03.2007 from Thiruchirappalli with place of birth as 'Sasthankarai', Tamilnadu. Now she has approached this Hon'ble Court to obtain an order to correct the place of birth in her passport as 'Paravur', Kerala.

4. Passport Manual 2010, Clause 6(1) reads as follows: "Since applicants randomly write village, town or city as place of birth, it is possible that a person born in suburb may write the name of the main city itself. Accordingly, Passport Issuing Authority should not contest change of place of birth in courts if the place already recorded in the passport and the one the applicants wants to change fall within the same district or adjoining districts. However, when such change is sought to be made from one state to another, or from India to abroad or vice versa, the case should be examined thoroughly and properly contested in the court."

3. During the course of hearing, it is also brought to the notice that similar issue had already been considered by this Court and as per decision reported in **Musthafa Nambiamkulam Abdulkader V Ministry of External Affairs (2013(4) KLT 527)**, the grievance of the petitioner can be settled after verifying the genuineness of the documents.

4. In the said circumstances, the petitioner is relegated to file an 'on-line' application for correction of place of birth, along with an affidavit and the documents relied upon by the petitioner before the 2nd respondent forthwith; on which event, the same shall be accepted and considered by the second respondent, passing appropriate orders in accordance with law, within a

period of three weeks thereafter.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 2nd respondent for further steps.

The writ petition is disposed of.

Sd/-
P.R.RAMACHANDRA MENON, JUDGE

vdv