

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

WP(C).No. 3195 of 2015 (Y)

PETITIONER:

**ANILKUMAR,
S/O. SANKARANKUTTY V.K,
AGED 47 YEARS, CHERUVEETTUPARAMBIL,
MUTHALIYAR BAGAM, KOCHI - 682 005.**

**BY ADVS.SRI.K.R.AVINASH (KUNNATH)
SRI.ABDUL RAOOF PALLIPATH**

RESPONDENT(S):

- 1. THE PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE,
PANAMPALLY NAGAR, KOCHI - 682036.**
- 2. THE SECRETARY,
MINISTRY OF HOME AFFAIRS, NORTH BLOCK,
CENTRAL SECRETARIAT, NEW DELHI - 110 001.**

BY SRI.N.NAGARESH, A S G OF INDIA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS:

- P1 - TRUE COPY OF THE RELEVANT PAGES OF TH PASSPORT
NO. E 4229682 OF THE PETITIONER.
- P2 - TRUE COPY OF THE ONLINE APPOINTMENT RECEIPT OBTAINED
FROM THE WEBSITE OF THE 2ND RESPONDENT.
- P3 - TRUE COPY OF THE EXTRACT OF SCHOOL ADMISSION REGISTER
ISSUED BY GOVERNMENT HIGHER SECONDARY SCHOOL, VELI, FORT
KOCHI.
- P4 - TRUE COPY OF THE RELEVANT PAGES OF THE RATION CARD.
- P5 - TRUE COPY OF THE VOTERS IDENTITY CARD OF PETITIONER'S
FATHER.
- P6 - TRUE COPY OF THE ADHAR CARD OF PETITIONER'S FATHER.
- P7 - TRUE COPY OF THE ONE AND SAME CERTIFICATE DATED 14.1.2015
ISSUED TO THE FATHER OF THE PETITIONER BY TALUK OFFICE
KOCHI.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

P.R.RAMACHANDRA MENON, J.
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W.P.(C) No.3195 of 2015
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Dated this the 18th day of February, 2015

JUDGMENT

The petitioner is the holder of the passport bearing No. E 4229682. The date of birth shown in the passport as '25.06.1963' which according to the petitioner is actually **14.05.1996** and the name of father of the petitioner is shown as 'Cheruveettilparambil Sankarankutty' whereas the name of petitioner's father is **Sankarankutty V.K (Vilakkapady Krishnan)**. The petitioner wants to effect correction the date of birth and father's name in the passport with reference to the entires in Exts.P3 to P7 and accordingly, the 1st 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. The learned counsel for the petitioner submits that, in view of the law declared by this Court in **Nizar v. Union of India** (2014 (4) KLT 609 and that of in **Swapna Siju Vs. Union of India** (2012 (4) KLT

419), the stand taken by the respondent is liable to be intercepted and the petitioner is entitled to have the relief sought for.

3. The learned Central Government Counsel appearing for the respondents submits that petitioner will have to file an on-line application along with an affidavit explaining how the delay has occurred.

4. In the said circumstances, the petitioner is relegated to file an 'on-line' application for correction of date of birth, along with an affidavit as above and the documents relied upon by the petitioner before the 1st respondent forthwith; on which event, the same shall be accepted and considered by the 1st 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 1st respondent for further steps. The writ petition is disposed of.

Sd/-

P.R.RAMACHANDRA MENON, JUDGE

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