

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 13TH DAY OF MARCH 2015/22ND PHALGUNA, 1936

WP(C).No. 3833 of 2015 (D)

PETITIONER(S):

**MANOJ. G., S/O. GANGADHARAN,
KALLAZHI VEEDU, HARIHARAPURAM P.O.,
AYIROOR, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.M.RAJAGOPALAN NAIR,
SRI.G.BIJU,
SRI.S.JAYAPRAKASH (MADAVOOR),
SRI.V.A.VINOD.**

RESPONDENT(S):

- 1. THE PASSPORT OFFICER,
PASSPORT OFFICE, KAITHAMUKKU,
THIRUVANANTHAPURAM - 695 024.**
- 2. UNION OF INDIA, REPRESENTED BY
SECRETARY TO GOVERNMENT OF INDIA,
MINISTRY OF EXTERNAL AFFAIRS, SOUTH BLOCK ,
CABINET SECRETARIAT, RAI SINA HILL, NEW DELHI.**

BY ADV. SRI.N.NAGARESH, ASSIST. S.G. OF INDIA.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1:- TRUE COPY OF THE CERTIFICATE ISSUED FROM THE
AYIROOR POLICE STATION REGARDING THE MISSING OF
OLD PASSPORT.
- EXT.P2:- TRUE COPY OF THE ONLINE APPOINTMENT RECEIPT ISSUED
TO THE PETITIONER.
- EXT.P3:- TRUE COPY OF THE AADHAR CARD OF PETITIONER.
- EXT.P4:- TRUE COPY OF THE RELEVANT PAGE OF THE S.S.L.C. BOOK
OF THE PETITIONER.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

P.R.RAMACHANDRA MENON, J.

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Dated this the 13th day of March, 2015

JUDGMENT

The petitioner is the holder of the passport bearing No.C.524207. The date of birth shown in the passport as '28.5.1962' which according to the petitioner is actually '28.5.1970'. The petitioner wants to effect correction of date of birth in the passport with reference to the entires in Exts.P3 and P4 and accordingly, the petitioner approached the first respondent 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 the petitioner will have to file an on-line

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application along with an affidavit explaining how the delay has occurred, also surrendering the existing passport.

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, also surrendering the existing passport before the concerned authority forthwith; on which event, the same shall be accepted and considered by the first respondent, passing appropriate orders in accordance with law, within a period of 'three weeks' thereafter.

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

The writ petition is disposed of.

**P.R.RAMACHANDRA MENON,
JUDGE.**

rkc.