

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(C).No. 4464 of 2015 (G)

PETITIONER:

SIRAJUDEEN A., AGED 36 YEARS,
S/O.ABDUL SALAM, RESIDING AT CHARUVILA VEEDU,
MUTTACKAVU, NEDUMPANA P.O., KOLLAM DISTRICT.

BY ADV. SRI.V.A.AJIVAS

RESPONDENT(S):

1. UNION OF INDIA,
REPRESENTED BY THE SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS, NEW DELHI, PIN-110 001.
2. THE REGIONAL PASSPORT OFFICER,
THIRUVANANTHAPURAM,PIN-695 001

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE RELEVANT PAGE OF THE PETITIONER'S PASSPORT NO.J-5107606.**
- P2 COPY OF THE RELEVANT PAGE OF THE PETITIONER'S S.S.L.C CERTIFICATE ISSUED BY THE HEAD MASTER, M.K.L.M. HIGH SCHOOL, KANNANALLUR.**
- P3 COPY OF THE PETITIONER'S DRIVING LICENCE.**
- P4 COPY OF THE ONE AND THE SAME CERTIFICATE ISSUED OF PETITIONER'S MOTHER BY THALUK OFFICE, KOLLAM DATED 02/02/2015.**

RESPONDENT'S EXHIBITS:

ANNEX R1(A) COPY OF THE EXTRACT OF SCHOOL REGISTER ISSUED BY THE HEADMISTRESS, U.P. SCHOOL, NEDUMPANA

/TRUE COPY/

P.A.TO JUDGE

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K. VINOD CHANDRAN, J.

W.P.(C) No. 4464 of 2015 (G)

Dated this the 24th day of June, 2015

J U D G M E N T

The petitioner seeks correction of his date of birth and also the correction of the name of his mother in the passport already issued to the petitioner.

2. The petitioner admittedly had been issued a passport more than 20 years back. The petitioner's claim is that as per Ext.P2 SSLC certificate, the petitioner's date of birth is 21.5.1978 and the petitioner's mother's name is Umal Moomina. He seeks that the same may be corrected in the passport.

3. This Court in W.P.(C) No. 9073/2015 and connected cases, by judgment dated 23.06.2015, held that the correction of date of birth in passport, after many number of years would not be possible, especially finding that the passport discloses the identity of the citizen in his travels, residence and employment abroad and the date of

birth declared thereon cannot be easily corrected for the asking.

4. As to the reliance placed on Ext.P2, it was held that the date of birth shown in the SSLC certificate is also based on a declaration made by either the petitioner or his parents and there can be no reliance placed on that when the petitioner had declared a different date of birth before the P.I.A. and had obtained a passport with a date, which had been acted upon by many others.

5. In this case another aspect is the production of Annexure R1(a) by the respondent. The said document is an extract of the admission register in which the petitioner's date of birth is shown as 22.2.1974 in consonance with the declaration made before the P.I.A. In such circumstance, no correction of date of birth can be made. The petitioner's prayer for correction of date of birth is rejected.

6. However, with respect to the claim for correction of the name of the mother, since Ext.P4 has been produced wherein Mubeena Charuvila is indicated to be an alias of Ummul Moomina, after verifying the original of Ext.P4 document the mother's name can be corrected. The P.I.A would consider the same, expeditiously on production of the proof along with an application, in accordance with law.

Writ petition is partly allowed. No costs.

Sd/-
K.VINOD CHANDRAN,
JUDGE