

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. 6006 of 2015 (A)

PETITIONER:

**JAFFAR ALI A.S., AGED 41 YEARS,
S/O.SULAIMAN, ANGADIKKADU HOUSE,
KRIMBA PANCHAYAT, KARIMBA P.O.,
VIA MANNARAKKAD,
PALAKKAD DISTRICT-678597.**

**BY ADVS.SRI.C.ANILKUMAR (KALLESSERIL)
SRI.C.Y.VINOD KUMAR**

RESPONDENT:

**ASSISTANT PASSPORT OFFICER
OFFICE OF THE ASSISTANT PASSPORT OFFICER,
THRISSUR DISTRICT - 680 001.**

BY SRI.N.NAGARESH, A 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:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1 : TRUE COPY OF THE RELEVANT PAGES OF PASSPORT OF THE PETITIONER BEARING NO.E.4120171 ISSUED ON 19-5-2003 AND WAS VALID UP TO 18-5-2013.
- EXT.P2 : TRUE COPY OF THE ONLINE APPOINTMENT RECEIPT ISSUED TO THE PETITIONER ON 10-2-2015 FROM PASSPORT SEVA KENDRA ATTACHED WITH PASSPORT OFFICE, THRISSUR.
- EXT.P3 : TRUE COPY OF RELEVANT PAGES OF RATION CARD BEARING NO.1949099009 DATED 25-7-2012 OF THE PETITIONER.
- EXT.P4 : TRUE COPY OF ADHAR CARD BEARING NO.3960 5415 7642 ISSUED BY UNIQUE IDENTIFICATION AUTHORITY OF INDIA TO THE PETITIONER.
- EXT.P5 : TRUE COPY OF INCOME TAX PAN CARD ACCOUNT NO.BSTPS3309E ISSUED TO THE PETITIONER BY INCOME TAX DEPARTMENT, GOVERNMENT OF INDIA.
- EXT.P6 : TRUE COPY OF IDENTITY CARD BEARING NO.GTT2015428 DATED 27-2-2006 ISSUED TO THE PETITIONER BY ELECTION COMMISSION OF INDIA.
- EXT.P7 : TRUE COPY OF DRIVING LICENCE BEARING NO.9/10385/2000 DATED 13-12-2000 ISSUED TO THE PETITIONER BY ASSISTANT LICENCING AUTHORITY, PALAKKAD.
- EXT.P8 : TRUE COPY OF EXTRACT FROM ADMISSION REGISTER, ISSUED TO THE PETITIONER FROM G.U.P.SCHOOL, KARIMBA.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

P.R.RAMACHANDRA MENON, J.

W.P.(C).No.6006 of 2015

Dated this the 13th day of March, 2015

JUDGMENT

The petitioner is the holder of the passport bearing No.E 4120171. The petitioner wants to renew the passport, effecting correction of date of birth in the passport with reference to the entires in Ext.P2 and accordingly, the petitioner approached the respondent by filing necessary application. The date of birth shown in the passport as '26.2.1967' which according to the petitioner is actually '26.2.1974'.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.

W.P.(C).No.6006 of 2015

3. The learned Central Government Counsel appearing for the respondent submits, that the petitioner will have to file an on-line application along with an affidavit explaining how the delay has occurred, also surrendering the existing passport. The respondent has filed a statement in this regard.

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 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 respondent, for further steps.

The writ petition is disposed of.

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

rkc.