

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

WP(C).No. 6064 of 2015 (G)

PETITIONER:

**KUNJU MUHAMMED,
S/O.ARACKAL PAREETH, ARACKAL HOUSE,
KOTHAMANGALAM (P.O), ERNAKULAM.**

**BY ADVS.SRI.NIDHI BALACHANDRAN
SRI.SABU GEORGE**

RESPONDENT(S):

- 1. THE UNION OF INDIA, REPRESENTED
BY IT'S SECRETARY TO GOVERNMENT,
DEPARTMENT OF MINISTRY OF EXTERNAL AFFAIRS,
PATIALA HOUSE, NEW DELHI - 110001.**
- 2. THE PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE, PANAMPILLI NAGAR,
ERNAKULAM - 682 036.**

BY SRI.N.NAGARESH, A S G

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 6064 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P-1: TRUE COPY OF THE RELEVANT PAGE OF THE S.S.L.C BOOK OF THE
 PETITIONER.**

**EXT.P-2: TRUE COPY OF THE RELEVANT PAGE OF THE PASSPORT OF THE
 PETITIONER.**

**EXT.P-3: TRUE COPY OF THE JUDGEMENT DATED 3.2.15 IN WPC 2109/2015 OF
 THIS HON'BLE HIGH COURT.**

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No.6064 OF 2015
.....

Dated this the 19th March, 2015

J U D G M E N T

The petitioner has approached this Court seeking for a direction to the respondents to correct the entry in respect of his date of birth in the passport.

2. The case of the petitioner is that, the actual date of birth of the petitioner is **19.05.1972**, as borne by Ext. P1 relevant extract of SSLC book, whereas the same happened to be entered wrongly in the passport as **19.05.1969**. It is stated that, though the petitioner preferred a request for correction of date of birth, the same was not entertained by the second respondent/Passport Officer and hence is before this Court.

3. 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.

4. The learned Central Government Counsel appearing for the respondents submits that the petitioner will have to file an

on-line application along with an affidavit explaining how the mistake has occurred. It is also stated that the existing passport has to be surrendered.

5. In the said circumstances, the petitioner is relegated to file an on-line application for correction of date of birth along with **the original/existing passport**, an affidavit and the documents relied upon by the petitioner, on which event, the same shall be accepted and **after verification of the genuineness of the documents,** appropriate orders shall be passed within a period of three weeks.

The Writ Petition is disposed of. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps.

P.R.RAMACHANDRA MENON
JUDGE

/k