

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON**

**WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937**

**WP(C).No. 6547 of 2015 (P)**  
-----

**PETITIONER**  
-----

**JEENA JOHN THEKKOODAN, AGED 28 YEARS  
W/O.CRISTO BABU, PADAYATTIL HOUSE, ASHTAMICHIRA PO  
VADAMA, VADAKKUMBHAGAM VILLAGE, CHALAKUDY TALUK  
THRISSUR DISTRICT, (NOW RESIDING AT 44  
RUE DES PERCHAMPS, 75016, PARIS  
FRANCE) REP. BY HER POWER OF ATTORNEY  
HOLDER & HUSBAND CRISTO BABU  
PADAYATTIL HOUSE, ASHTAMICHIRA PO.**

**BY ADV. SRI.SHEEJO CHACKO**

**RESPONDENTS:**  
-----

- 1. UNION OF INDIA,  
REP. BY ITS SECRETARY, MINISTRY OF EXTERNAL AFFAIRS  
NEW DELHI-110 001.**
- 2. THE REGIONAL PASSPORT OFFICER,  
PANAMPILLY NAGAR, COCHIN-682036.**
- 3. CONSULAR,  
EMBASSY OF INDIA, 42-44 RUE DE PARADIS, 75010  
PARIS, FRANCE.**
- 4. INDIA CONSULAR PASSPORT AND VISA APPLICATION CENTRE (ICPVAC),  
VF SERVICES UK LTD., 42-44 RUE DE PARADIS, 75010  
PARIS, FRANCE  
REP. BY ASSISTANT CONSULAR OFFICER MANOJ KUMAR.**

**R-R1-R4 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
01-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
-----

- EXT P1 :        TRUE COPY OF THE RELEVANT PAGES OF THE PASSPORT  
                 BEARING NO.J7439502 FROM THE OFFICE OF THE 2ND  
                 RESPONDENT.**
- EXT P2 :        TRUE COPY OF THE POWER OF ATTORNEY DEED DT. 11.11.2014 IN  
                 FAVOUR OF THE PETITIONER'S HUSBAND CRISTO BABU.**
- EXT P3 :        TRUE COPY OF THE BIRTH CERTIFICATE DT. 22-01-2014 ISSUED TO  
                 THE PETITIONER.**
- EXT P4 :        TRUE COPY OF THE SSLC CERTIFICATE OF THE PETITIONER  
                 COMMISSIONER AFTER CONDUCTING NECESSARY ENQUIRIES  
                 VIDE ORDER NO.K.DIS/EX BB(4) 88546/2014 DT. 01-01-2015  
                 CORRECTED THE DATE OF BIRTH OF THE PETITIONER.**
- EXT P5 :        TRUE COPY OF THE E-MAIL LETTER DT 14-01-2015 ISSUED FROM  
                 EMBASSY OF INDIA TO THE PETITIONER.**

**RESPONDENT(S)' EXHIBITS**  
-----

**NIL**

**TRUE COPY**

**P.A TO JUDGE**

**SMM**

**P.R. RAMACHANDRA MENON,J**

.....  
**W.P.(C) No.6547 OF 2015**  
.....

Dated this the 1<sup>st</sup> day of April, 2015.

**J U D G M E N T**

The petitioner has approached this Court with the following prayers:

i) To issue a writ of mandamus or any appropriate writ, order or direction commanding the 3<sup>rd</sup> respondent to accept the petitioner's application for correcting the date of birth in passport in terms of Exhibit P3 birth certificate issued by the competent authority and to process the same within a time limit fixed by this Hon'ble Court;

ii) To issue a writ of mandamus or any appropriate writ, order or direction commanding the 3<sup>rd</sup> respondent to complete the proceedings necessary for processing the petitioner's application for correction of petitioner's date of birth in the light of relevant documents within a time limit fixed by this Hon'ble Court;

iii) To grant such other reliefs that are deemed fit and proper in the interest of justice;

And

v) To pay costs of the petitioner

2. Heard the learned Counsel appearing for the petitioner as well as the learned Standing Counsel appearing for the respondents.

3. The learned Standing Counsel submits on the basis

of the instructions received that the petitioner has not filed any application pursuant to the communication issued as per Ext.P5. The version of the petitioner is that though the petitioner went to the concerned authority with copies of all the relevant documents, the same was not accepted. It is stated that the petitioner is ready to approach the concerned authority mentioned in Ext.P5 with all the relevant documents mentioned therein and the prayer is to consider the same and dispose of within a reasonable time. At the same time, the petitioner is at liberty to file the necessary application before the concerned authority named in Ext.P5 with all the relevant documents mentioned therein, within a period of two weeks from the date of receipt of a copy of this judgment.

4. On satisfying the requirements as above, the application preferred by the petitioner shall be considered in accordance with law and appropriate orders shall be passed for effecting correction of the date of birth of the petitioner in terms of Ext.P3 birth certificate, which shall

be done at the earliest, at any rate, within a period of two months from the date of submission of the proceedings as above, after conducting verification of the genuine documents, if necessary.

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

The writ petition is disposed of.

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

smm



