

**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. 8178 of 2015 (V)**  
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**PETITIONER :**  
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**CHANDRAN, AGED 49 YEARS  
S/O.PACHU, GEETHA BHAVANAM, MAHADEVIKADU  
ALAPPUZHA.**

**BY ADVS.SRI.R.SUNIL KUMAR  
SMT.A.SALINI LAL**

**RESPONDENT(S) :**  
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- 1. UNION OF INDIA  
REP. BY ITS SECRETARY, MINISTRY EXTERNAL AFFAIRS  
KASTURBA GANDHI MARG, NEW DELHI 110 011.**
- 2. THE PASSPORT OFFICER,  
ALLEPPEY AVENUE CENTER, BEACH ROAD  
ALAPPUZHA - 695 001.**
- 3. THE REGIONAL PASSPORT OFFICER,  
REGIONAL PASSPORT OFFICE, PANAMPILLY NAGAR  
KOCHI -682 036.**

**R1 TO R3 BY ADV. SRI.N.NAGARESH, ASGI**

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

**Mn**

**...2/-**

**WP(C).No. 8178 of 2015 (V)**  
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**APPENDIX**

**PETITIONERS' EXHIBITS :**  
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**EXT.P1 : COPY OF THE PASSPORT ISSUED ON 11/8/1986.**

**EXT.P2 COPY OF THE RENEWED PASSPORT.**

**EXT.P3 COPY OF THE RENEWED PASSPORT TILL 2017.**

**EXT.P4 COPY OF THE EXTRACT ISSUED FROM THE GOVERNMENT BOYS  
HIGH SCHOOL, HARIPAD.**

**EXT.P5 COPY OF THE ONLINE APPLICATION AND THE DIRECTIONS GIVEN BY  
THE RESPONDENTS.**

**RESPONDENT(S)' EXHIBITS : NIL**  
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**//TRUE COPY//**

**P.A. TO JUDGE**

**Mn**

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

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**W.P.(C) No.8178 of 2015**  
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**Dated this the 1<sup>st</sup> day of April, 2015**

**JUDGMENT**

The petitioner is the holder of the passport bearing No.F8678329. The date of birth shown in the passport as '**1963**' which according to the petitioner is actually '**14.05.1965**'. The petitioner wants to effect correction of date of birth in the passport with reference to the entires in Ext.P4 and accordingly, the petitioner approached the concerned 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 respondents 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 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 respondents, 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 respondents, for further steps.

The writ petition is disposed of.

Sd/-  
**P.R. RAMACHANDRA MENON,**  
**JUDGE.**

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