

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 8522 of 2015 ()

PETITIONER :

**ISMAIL A.,
AGED 49 YEARS, S/O. AHAMMED RAWTHER,
KATTUVETTY PUTHEN VEEDU, ANAKUZH
KUMMANNOOR, KONNI, PATHANAMTHITTA.**

BY ADV. SRI. T.K. ANANDA KRISHNAN

RESPONDENT(S) :

- 1. THE SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS
SOUTH BLOCK, GOVERNMENT OF INDIA,
NEW DELHI-110 001.**
- 2. THE REGIONAL PASSPORT OFFICER,
TRIVANDRUM PASSPORT OFFICE, THIRUVANANTHAPURAM.**

R1 & R2 BY ADV. SRI.N.NAGARESH, ASGI

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 8522 of 2015 ()

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT P1: TRUE COPY OF THE RELEVANT PAGES OF THE PASSPORT BEARING
NO. F. 0671703 OF THE PETITIONER.**

EXHIBIT P2: TRUE COPY OF THE SSLC BOOK.

**EXHIBIT P3: TRUE COPY OF THE CIRCULAR DATED 29.10.2007 ISSUED BY THE 1ST
RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 8522 of 2015

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Dated, this the 7th day of April, 2015

JUDGMENT

The petitioner has approached this Court seeking for a direction to the respondent 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 30.05.1965, as borne by Ext. P2 relevant extract of SSLC book, whereas the same happened to be entered wrongly in the passport as 30.05.1960 in the passport. It is stated that, though the petitioner preferred a request for correction of date of birth, the same was not entertained by the respondents and hence is before this Court.

3. The learned counsel for the petitioner relies upon the judgment of this Court in **Swapna Siju Vs. Union of India [2012 (4) KHC 38]** and in **Nizar Vs. Union of India [2014 (4) KLT 609]** in support of the position that, as far as the applicants born before 26.01.1989 are concerned, copy of extract of the SSLC book can be relied on for correction of date of birth without insisting for birth certificate.

4. The learned Central Government Counsel appearing for the respondents submits, with reference to the statement filed, that documents sought to be relied on by the petitioner while issuing passport to petitioner have been destroyed due to efflux of time and that if any correction is to be made in the passport, the petitioner will have to file an on-line application along with an affidavit explaining how the mistake has occurred.

5. In the said circumstances, the petitioner is relegated to file an on-line application for correction of date of birth along with an affidavit and the documents relied upon by the petitioner, on which event, the same shall be accepted and considered by the respondents, passing appropriate orders within a period of three weeks.

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

The Writ Petition is disposed of.

Sd/-

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

kmd