

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

WP(C).No. 8917 of 2015 (L)

PETITIONER(S):

**JOY A.A., AGED 49 YEARS,
S/O.ANTHONY, AVARAN HOUSE, IRINJALAKUADA DESOM
P.O.IRINJALAKUDA, MUKUNDAPURAM TALUK, THRISSUR DISTRICT.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.N.L.BITTO**

RESPONDENT(S):

- 1. THE UNION OF INDIA
REP. BY ITS SECRETARY TO THE GOVERNMENT
EXTERNAL AFFIARS MINISTRY, NEW DELHI-110 001.**
- 2. THE REGIONAL PASSPORT OFFICER,
OFFICE OF THE REGIONAL PASSPORT OFFICE
COCHIN-682039.**

BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 8917 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT P1 : A TRUE COPY OF THE RELEVANT PAGE OF THE PASSPORT OF THE
 PETITIONER NO.L 9919948 ISSUED DATED 25-06-2014.**

**EXT P2 : TRUE COPY OF SSLC BOOK ISSUED FROM BOARD OF PUBLIC
 EXAMINATION ON MARCH 1982**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 8917 of 2015

Dated this the 6th day of April, 2015

JUDGMENT

The petitioner is the holder of the passport bearing No. L 9919948. The same is valid till 24.06.2024. The date of birth shown in the passport is '28.04.1959' which according to the petitioner is actually **28.04.1965**. The petitioner wants to effect correction of date of birth in the passport with reference to the entries in Ext.P2 and accordingly, the 2nd respondent was approached 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 respondent 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 their version with reference to the statement filed on behalf of the respondents.

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 explaining the queries raised by the respondents and the documents relied upon by the petitioner before the 2nd respondent forthwith; on which event, the same shall be accepted and considered by the second respondent, passing appropriate orders in accordance with law, within a period of three weeks thereafter.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 2nd respondent for further steps. The writ petition is disposed of.

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

kp/-