

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

**PRESENT:**

**THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN**

**FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937**

**WP(C).No. 11385 of 2015 (W)**  
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**PETITIONER(S):**  
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**S.VIJAYA KUMAR, AGED 49 YEARS,  
S/O.M. SAHADEVA SARMA, VISAKH BHAVAN, IYERKULANGARA,  
VAIKOM P.O., KOTTAYAM - 686 141.**

**BY ADVS.SRI.SANTHARAM.P  
SMT.REKHA ARAVIND**

**RESPONDENT(S):**  
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- 1. REGIONAL PASSPORT OFFICER,  
REGIONAL PASSPORT OFFICE, SHIHAB THANGAL ROAD,  
PANAMPILLY NAGAR, ERNAKULAM - 680036.**
- 2. CHIEF PASSPORT OFFICER,  
CPV DIVISION, MINISTRY OF EXTERNAL AFFAIRS, ROOM NO.8,  
PATIALA HOUSE, TILAK MARG, NEW DELHI - 110 001.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**PJ**

**APPENDIX**

**PETITIONER(S)' EXHIBITS**

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- EXHIBIT-P1- TRUE COPY OF THE PASSPORT ISSUED IN THE YEAR 1984.
- EXHIBIT-P2- TRUE COPY OF THE PASSPORT ISSUED IN THE YEAR 1994
- EXHIBIT-P3- TRUE COPY OF THE PASSPORT ISSUED IN THE YEAR 2004.
- EXHIBIT-P4- TRUE COPY OF THE EXTRACT OF ADMISSION REGISTER ISSUED BY  
HEAD MASTER, GOVERNMENT T.D JUNIOR BASIC SCHOOL, ALEPPEY.
- EXHIBIT-P5- TRUE COPY OF THE TRANSFER CERTIFICATE ISSUED BY  
HEADMASTER, GOVERNMENT TOWN U.P SCHOOL, KOLLAM.
- EXHIBIT-P6- TRUE COPY OF THE TRANSFER CERTIFICATE ISSUED BY THE  
HEADMASTER ST. ANTONY'S ENGLISH MIDDLE SCHOOL, VIZHIDIYUR,  
KARAIKAL.
- EXHIBIT-P7- TRUE COPY OF THE IDENTITY CARD ISSUED BY TRAVANCORE  
DEVASWOM BOARD.
- EXHIBIT-P8- TRUE COPY OF THE DRIVING LICENCE ISSUED BY LICENCING  
AUTHORITY, VAIKOM DATED 16/10/1986.
- EXHIBIT-P9- TRUE COPY OF THE CERTIFICATE OF MARRIAGE DATED 07/04/2010  
ISSUED BY THE LOCAL REGISTRAR, ALAPPUZHA MUNICIPALITY.
- EXHIBIT-P10- TRUE COPY OF THE ELECTION IDENTITY CARD ISSUED BY  
ELECTORAL REGISTRATION OFFICER, VAIKOM.
- EXHIBIT P11- TRUE COPY OF THE VISA AFFIXED IN THE PASSPORT
- EXHIBIT P12- TRUE COPY OF THE DECISION REPORT IN 2008 (1) KLT 992.

**RESPONDENT(S)' EXHIBITS**

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NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

**K. VINOD CHANDRAN, J.**

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**W.P.(C) No.11385 of 2015 - W**

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**Dated this the 26<sup>th</sup> day of June, 2015**

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

The petitioner is aggrieved with the fact that the petitioner's application for correction of date of birth has not been considered. Admittedly, the petitioner's passport was issued initially in the year 1984. The petitioner had renewed the passport every 10 years after that. At no point in the past about 30 years, the petitioner ever raised a claim as to the correction of the date of birth. The petitioner after 30 years has made the application for correction from 08.09.1965 to 21.11.1967. The petitioner bases his contention on Ext.P4, extract of the admission register of the school, Exts.P5 and P6 transfer certificates from the respective schools, Ext.P7 identity card issued by Travancore Devaswom Board, Ext.P8 driving licence, Ext.P9 certificate of marriage and Ext.P10 Election I.D card.

2. The petitioner now seeks correction of date of birth from 08.09.1965 to 21.11.1967. At the out set, it is to be noticed

that if the petitioner's application is allowed, then even the passport initially issued to the petitioner would have been an invalid passport since he would have been a minor at that point of time. Admittedly the petitioner has applied as a major when the passport was issued in the year 1984. As to the various documents produced herein, those are all documents in which the petitioner has made a declaration by himself. None has any value under Section 35 of the Evidence Act, 1872.

This Court in a similar situation has in W.P.(C) No.9073 of 2015 and connected cases dated 23.06.2015 held that no correction of date of birth can be granted for the mere asking. Following the aforesaid judgment, the writ petition would stand dismissed.

**Sd/-  
K. VINOD CHANDRAN,  
JUDGE**

SB

// true copy //

P.A to Judge.