

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

WP(C).No.11458 of 2015 (F)

PETITIONER:

**ABDUL AZEEZ MANKARATHODI,S/O.MOHAMED.M.,
MANKARATHODI HOUSE,PANDIKKAD ROAD,
MANJERI COLLEGE P.O.,MALAPPURAM DISTRICT.**

**BY ADVS.SRI.BABU S. NAIR
SRI.R.RANJITH**

RESPONDENT:

**THE PASSPORT OFFICER,PASSPORT OFFICE,
MALAPPURAM,PIN:676505.**

R1 BY SRI.N.NAGARESH,ASSISTANT SOLICITOR GENERAL OF INDIA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.11458 of 2015 (F)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT P1:TRUE COPY OF THE PASSPORT OF THE PETITIONER BEARING
NO.F4136747.**

**EXHIBIT P2:TRUE COPY OF THE RELEVANT PAGES OF SECONDARY SCHOOL
LEAVING CERTIFICATE OF THE PETITIONER.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

K. VINOD CHANDRAN, J

W.P(C) No. 11458 of 2015

Dated this the 27th day of May, 2015

J U D G M E N T

The petitioner seeks correction of Date of Birth in his passport, which was issued to him on 11.10.1978. The Date of Birth as entered in the passport is 5.2.1960, the petitioner, now, on the basis of Ext.P2 Secondary School Leaving Certificate contends that his Date of Birth was actually 20.05.1962. The power on the Passport Issuing Authority (PIA) to make correction of Date of Birth in the passport already issued is as per circular No. VI/401/2/5/2/2001 as amended with effect from 29.10.2007. A reading of the circular which is handed over across the Bar, would indicate that it contemplates a mistake conducted by the Passport Issuing Authority or the applicant himself. In the case of the former, the correction can be made by the Passport Issuing

Authority, in the passport itself without any payment of fees.

2. Though the petitioner contends that the mistake in the Date Of Birth entered in the passport is that of the Passport Issuing Authority, this Court is unable to countenance such a contention. In fact, even going by the Date of Birth now asserted, the petitioner would not have been entitled to be issued with a passport on 11.10.1978 on the application made at that point of time since he would have been a minor on 11.10.1978. Primarily, it is to be noticed that the petitioner who asserts his Date of Birth to be 20.05.1962 would not have been a major entitled to apply for a passport by himself on 11.10.1978, when the passport was issued. Hence it cannot be said that the Passport Issuing Authority committed a mistake. In such circumstance, there could be no correction of Date of Birth. The petitioner, however, would be entitled to surrender the passport before the Passport Issuing Authority and apply for a fresh one, in

which case, the same would be considered in accordance with law.

Writ petition is dismissed with the above reservation.

Sd/-
(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge