

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C).No.14336 of 2015 (N)

PETITIONER:

**AMEERALI VADAKKEKUPPURAYIL,
HOLDER OF INDIAN PASSPORT NO.F 5661875,
NOW EMPLOYED IN DUBAI, UAE, SON OF ABDUL KADER,
PERMANENT RESIDENCE AT VADAKKEKUPPURAYIL HOUSE,
MADAKKARA PO, IRNAVE, KANNUR,KERALA,
REPRESENTED BY HIS WIFE P.A.H.REHMATH KANDIKKALE PEEDIKAYIL**

BY ADV.DR.K.P.PRADEEP

RESPONDENT'S:

- 1. UNION OF INDIA,REPRESENTED BY THE SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS,SOUTH BLOCK,
NEW DELHI-110001.**
- 2. CONSULATE GENERAL OF INDIA,
INDIAN EMBASSY AT DUBAI,
AL HAMRIYA DIPLOMATIC ENCLAVE,
PO.BOX.737, DUBAI,UNITED ARAB EMIRATES,
CGIDUBAI@CGIDUBAI.COM**
- 3. BLS INTERNATIONAL SERVICES UAE,
BLS INTERNATIONAL SERVICES LTD., 507,
HABIB AG ZURICH AL JAWARAH BUILDING,
BANK STREET,BUR DUBAIR,NEAR ADCB BANK,
DUBAI,UAE.**
- 4. REGIONAL PASSPORT OFFICER,PASSPORT OFFICE,
ERNAKULAM,PANAMPILLY NAGAR,
KOCHI,ERNAKULAM.**

R1,R2 & R4 BY SRI.N.NAGARESH,ASGI

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No.14336 of 2015 (N)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1:TRUE COPY OF THE POWER OF ATTORNEY EXECUTED ON 23.06.2011
BY THE PETITIONER TO HIS WIFE.**

**EXT.P2:TRUE COPY OF THE INDIAN PASSPORT NO.F 5661875 DATED 14.09.2006
ISSUED FROM THE OFFICE OF THE 2ND RESPONDENT TO THE
PETITIONER.**

**EXT.P3:TRUE COPY OF THE CERTIFICATE OF BIRTH NO.14/1963
DATED 08.03.1963 ISSUED BY THE REGISTRAR OF BIRTHS AND DEATHS,
MATTOOL GRAMA PANCHAYAT, KANNUR DISTRICT.**

**EXT.P4:TRUE COPY OF THE JUDGEMENT IN NIZAR, UNION OF INDIA, REPORTED
IN 2014(4) KLT 609.**

**EXT.P5:TRUE COPY OF THE APPLICATION IN FORM EAP 1 (EXTERNAL) FOR
CORRECTION OF DATE OF BIRTH AND ISSUE OF NEW PASSPORT TO BE
SUBMITTED TO THE 2ND RESPONDENT THROUGH 3RD RESPONDENT**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.14336 of 2015

Dated this the 12th day of May, 2015

JUDGMENT

The petitioner is the holder of Indian Passport bearing Registration No.F5661875. Petitioner wants to correct the entry relating to the date of birth in the passport. The difference of the age is more than two years.

2. Petitioner submits that on account of difference of age more than two years, authorities have refused to receive the application. In the light of judgment of this Court in **Nizar v. Union of India [2014 (4) KLT 609]**, the application shall be entertained by the 2nd respondent and considered without any impediment regarding outer limit in difference of age for correcting date of birth.

3. Considering the facts and circumstances, there will be a direction to the 2nd respondent to receive the application and take a decision in accordance with law within a period of two months in the light of judgment of this Court in **Nizar's Case**

(supra). The petitioner is directed to produce all authenticated documents before the 2nd respondent for compliance and for correction.

The Writ Petition is disposed of as above.

SD/-
A. MUHAMED MUSTAQUE,
JUDGE

JV