

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 1ST DAY OF JULY 2015/10TH ASHADHA, 1937

WP(C).No. 14783 of 2015

PETITIONER(S) :

**SHAN M.H.,
S/O.E.MOHAMMED HANEEFA, ALUMKUNNIL VEEDU, KAITHODU,
NILAMEL, KOLLAM DISTRICT.**

BY ADV. SRI.D.KISHORE

RESPONDENT(S) :

- 1. UNION OF INDIA,
REPRESENTED BY ITS SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS, NEW DELHI-110 001.**
- 2. THE PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE, KAITHAMUKKU,
THIRUVANANTHAPURAM-695 024.**
- 3. THE ASSISTANT PASSPORT OFFICER,
PASSPORT SEVA KENDRA, GROUND FLOOR, CARMEL TOWERS,
OPP. COTTON HILL GIRLS HIGH SCHOOL, VAZHUTHACAUD,
THIRUVANANTHAPURAM- 695 014.**

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

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 01-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE RELEVANT EXTRACT OF THE PASSPORT OF THE PETITIONER BEARING NO.Q 927859.

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

EXHIBIT P3: TRUE COPY OF THE DRIVING LICENSE OF THE PETITIONER.

EXHIBIT P4: TRUE COPY OF THE AADHAAR CARD OF THE PETITIONER.

EXHIBIT P5: TRUE COPY OF THE ELECTORAL CARD OF THE PETITIONER.

EXHIBIT P6: TRUE COPY OF THE ONLINE ACKNOWLEDGMENT RECEIPT ISSUED BY THE 3RD RESPONDENT.

EXHIBIT P7: TRUE COPY OF THE JUDGMENT IN W.P(C).NO.29955/2009 REPORTED IN 2012 (4) KHC 38.

EXHIBIT P8: TRUE COPY OF THE JUDGMENT IN W.P(C).NO.29694/2012 AND CONNECTED CASES REPORTED IN 2014 (4) KHC 558.

RESPONDENT(S)' ANNEXURES :

ANNEXURE R2(A): TRUE COPY OF THE INDEX CARD OF THE PETITIONER.

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. VINOD CHANDRAN, J.

W.P.(C) No. 14783 of 2015

Dated this the 1st day of July, 2015

J U D G M E N T

The petitioner seeks correction of his date of birth in the passport already issued to the petitioner.

2. The petitioner admittedly had been issued a passport in the year 1993 and renewed in 2003. The petitioner's claim is that as per Ext.P2 SSLC certificate, Ext.P3 Driving License, Ext.P4 Aadhaar Card and Ext.P5 Electoral Card, the petitioner's date of birth is 16.5.1973. He seeks that the same may be corrected in the passport, which reveals the date of birth as 16.5.1970.

3. This Court in W.P.(C) No. 9073/2015 and connected cases, by judgment dated 23.06.2015, held that the correction of date of birth in passport, after many number of years would not be possible, especially finding that the passport discloses the identity of the citizen in his travels, residence and employment abroad and the date of birth declared thereon cannot be easily corrected for the asking.

4. As to the reliance placed on Exts.P2 to P4, it was held that the date of birth shown in the extract of the admission register is also based on a declaration made by either the petitioner or his parents and there can be no reliance placed on that when the petitioner had declared a different date of birth before the P.I.A. and had obtained a passport with a date, which had been acted upon by many others.

5. The respondent has produced the index card to be filled in by applicant, produced as Annexure R2(a), wherein also it is clearly stated that the date of birth is 16.05.1970. In such circumstance, no correction of date of birth can be made. The petitioner's prayer for correction of date of birth is rejected.

Writ petition is dismissed. No costs.

Sd/-
K.VINOD CHANDRAN,
JUDGE