

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

WP(C).No. 33877 of 2014 (H)

PETITIONER(S):

**SUNNY P.O., AGED 53 YEARS,
S/O. OUSEPH, PATTATHUPARAMBIL HOUSE,
P.O. KADUPASSERY DESOM, KADUPPASSERY. P.O.,
MUKUNDAPURAM TALUK, THRISSUR DISTRICT.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR),
SRI.N.L.BITTO,
SRI.SAYED MURTHALA THANGAL.**

RESPONDENT(S):

- 1. THE UNION OF INDIA,
REPRESENTED BY ITS SECRETARY TO THE GOVERNMENT,
EXTERNAL AFFAIRS MINISTRY, NEW DELHI-110 001.**
- 2. THE REGIONAL PASSPORT OFFICER,
OFFICE OF THE REGIONAL PASSPORT OFFICE,
COCHIN-682 020.**

BY ADV. SRI.N.NAGARESH, ASSISTANT S.G. OF INDIA.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1. A TRUE COPY OF THE RELEVANT PAGE OF THE PASSPORT OF THE PETITIONER NO. J. 3128674 ISSUED DATED 15-03-2011.
- P2. TRUE COPY OF BIRTH CERTIFICATE FROM SECRETARY OF REGISTRAR, BIRTH AND DEATHS, VELLUKKARA GRAMA PANCHAYAT DATED 29-06-2006.
- P3. TRUE COPY OF SSLC BOOK ISSUED FROM BOARD OF PUBLIC EXAMINATION ON MARCH 1977.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 33877 of 2014

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Dated, this the 13th day of January, 2015

JUDGMENT

The petitioner has approached this Court seeking for a direction to the respondents to correct the entries in respect of his date of birth and place of birth in the passport.

2. The case of the petitioner is that, the actual date of birth and place of birth the of the petitioner are '**20.05.1961**' and '**Kaduppassery**' respectively, as borne by Exts. P2 and P3 copies of birth certificate and SSLC book, whereas the same happened to be entered wrongly in the passport as 24.04.1959 and as Erinjalakuda. Though the petitioner preferred a request for correction, along with Ext. P2 and P3, the same was not entertained by the respondents, stating that a Court order is necessary to have such correction.

3. The law has been declared by this Court in **Swapna Siju Vs. Union of India (2012 (4) KHC 38)** holding that, as far as the applicants born before 26.01.1989 are concerned, copy of extract of the SSLC book can be relied on for correction in the passport.

4. The learned Central Government Counsel appearing for the respondents submits that the petitioner will have to file an on-line

application along with an affidavit explaining how the mistake has occurred.

5. In the said circumstances, the petitioner is relegated to file an on-line application for correction of date of birth and place of birth along with an affidavit and the documents relied upon by the petitioner, within two weeks; on which event, the same shall be accepted and considered by the respondents, passing appropriate orders after ascertaining the veracity of the documents, if necessary, within a period of three weeks thereafter.

The Writ Petition is disposed of.

Sd/-

**P. R. RAMACHANDRA MENON,
(JUDGE)**

kmd