

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 15TH DAY OF JANUARY 2015/25TH POUSHA, 1936

WP(C).No. 34146 of 2014 (P)

PETITIONER:

**HANEEFA C.,
S/O. MUHAMMED C., CHUNGATH HOUSE,
KARAMBATHUR P.O, PALAKKAD DISTRICT.**

**BY ADVS.SRI.BABU S. NAIR,
SRI.K.RAKESH.**

RESPONDENT:

**THE PASSPORT OFFICER,
PASSPORT OFFICE, MALAPPURAM, PIN-676 505.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 34146 of 2014 (P)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT P1- TRUE COPY OF THE PASSPORT OF THE PETITIONER
BEARING NO. E 9721204.**

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

**EXHIBIT P3- TRUE COPY OF THE FEE RECEIPT FURNISHED TO THE
PETITIONER DATED 09-05-2013.**

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 34146 of 2014

Dated this the 15th day of January, 2015

JUDGMENT

The petitioner is the holder of the passport bearing No. E9721204. The date of birth shown in the passport as '4.1.1960' which according to the petitioner is actually **31.5.1973**. Similarly the name of the petitioner is shown as 'Mohamed Haneefa' instead of **Haneefa C**. The petitioner wants to effect correction of name and date of birth in the passport with reference to the entires in Ext.P2 SSLC and accordingly, the respondent was approached by filing necessary application. The prescribed fee was also satisfied as borne by Ext.P3 dated 9.5.2013. Nothing has transpired in the positive so far and the petitioner has been given to understand that, since two years have already elapsed, unless the petitioner obtains some favourable orders from a competent Court of law, the request made by the petitioner will not be acceded to, and hence the writ petition.

2. The learned counsel for the petitioner submits that, in

view of the law declared by this Court in **Nizar v. Union of India** (2014 (4) KLT 609 and that of in **Swapna Siju Vs. Union of India** (2012 (4) KLT 419), the stand taken by the respondent is liable to be intercepted and the petitioner is entitled to have the relief sought for.

3. The learned Central Government Counsel submits that, the passport was originally applied for and obtained from Chennai. The same was issued based on the entries in the relevant documents given by the petitioner and as such, there is no point in insinuating the respondent in any manner. However, it is stated that, if the petitioner surrenders the existing passport and files an affidavit as to the circumstance under which the original passport was obtained and also explains the delay, the same will be acted upon and appropriate steps will be taken to redress the grievance.

4. In the above circumstance, the petitioner is relegated to approach the respondent by surrendering the existing passport and also by filing an affidavit as above, upon which, necessary verification shall be conducted and steps shall be taken to issue

corrected passport within two months from the date of surrender of the existing passport as above.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the respondent for further steps. The writ petition is disposed of.

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

kp/-