

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P. No. 32118 of 2015

Anjana R.

...Petitioner

Vs.

The Regional Passport Officer
No. 1, Bhanumathi Ramakrishnan Road,
Saligramam, Chennai -93.

...Respondent

PRAYER: This petition is filed under Article 226 of the Constitution of India in the nature of writ of mandamus directing the respondent to consider the petitioner's application vide file No. MA1077128019913 and acknowledged vide letter dated 29.07.2013 and accept the petitioner's academic records as proof of date of birth and issue a fresh passport to the petitioner with the corrected date of birth as 25.02.1995.

For Petitioner	:	Mr.T.S.Baskaran,
For Respondent	:	Mr.S.Srinivasan,
		Assistant Solicitor General

ORDER

A passport was issued to the petitioner, when she was a minor indicating the date of birth as 25.06.1995. Unfortunately, the School Transfer Certificate pertaining to the petitioner indicates the date of birth as 25.02.1995. Therefore, there is a discrepancy of four months between both the documents. In other words, in the said School Certificate, four months more has been given than the one given in the passport as the date of birth of the petitioner.

2. As per the regulation governed by the CBSE, a candidate can only apply for correcting the date of birth in the Certificate within a period of two years after passing the 10th standard. Since the said period has expired, the petitioner made a request for changing the date of birth from 25.06.1995 to 25.02.1995. As seen from the Counter Affidavit of the respondent, the request made by the petitioner was rightly rejected stating that the petitioner has to approach the Court, as the respondent cannot go into the said issue by adjudicating upon the correctness of the date of birth of the petitioner.

3. Heard the learned counsel appearing for the petitioner and the learned Assistant Solicitor General appearing for the respondent.

4. What the petitioner wants is a change in the date of birth, i.e. to increase the age by four months, so that the petitioner would be put in an advantageous position. By doing so, the genuine mistake committed, when the petitioner was a minor, perhaps, by her father, would be rectified. Therefore, considering the above the said facts and as there is no dispute about the date of birth mentioned in the School Certificate as 25.02.1995, as found in the school records, the petitioner is directed to resubmit the passport to the respondent within a period of two weeks from the date of receipt of a copy of this order and the respondent is directed to pass appropriate orders in the light of the discussion made above, within the further period of four weeks from the date of receipt of the passport from the petitioner.

5. Accordingly, the writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

rms

To

The Regional Passport Officer
No. 1, Bhanumathi Ramakrushnan Road,
Saligramam, Chennai -93.

1 cc to M/s.Su.Srinivasan, Advocate, sr.64752
1 cc to Mr.T..S.Baskaran, Advocate, sr.64829

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ug co
kra 01.12.2015