

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 29-01-2016

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

W.P.No.29248 of 2015

Mr. S.A. Syed Salim

.. Petitioner

Vs.

The Regional Passport Officer
Ministry of External Affairs
Rayala Towers, 4th Floor
Anna Salai
Chennai - 600 002

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondent to enter correct date of Birth and Name as per Extract of Registrar of Birth Certificate No.133/1979/02 (Date of Birth as 09-03-1979 & Name as S.A. Syed Salim) consequently reissue the passport to the petitioner within a time frame to be fixed by this Court.

For petitioner :: Mr. R. Kumaravel

For respondent :: Mr. Su. Srinivasan, ASG

ORDER

The petitioner has come forward to file this writ petition seeking a writ of mandamus directing the respondent to enter correct date of Birth and Name as per Extract of Registrar of Birth Certificate No.133/1979/02 (Date of Birth as 09-03-1979 & Name as S.A. Syed Salim) and consequently reissue the passport.

2. From the counter affidavit filed by the respondent it is clear that the first passport of the petitioner was issued about eighteen years ago indicating the date of birth as 09-03-1974. Even at the time of reissue of the passport subsequently, the same date of birth has been given. Now, in the fresh passport application, he seeks change of date of birth from 09-03-1974 to 09-03-1979.

3. The above said facts would indicate that in the absence of any supporting documents, the relief sought for cannot be granted.

4. The only other remedy available to the petitioner is to approach the jurisdictional civil court and get declaration that the correct date of birth is 09-03-1979. As and when, the petitioner gets the same, he can apply for the

correction of Date of Birth and the respondent shall process the application of the petitioner as per the procedure.

5. With the above observation, the writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

glp

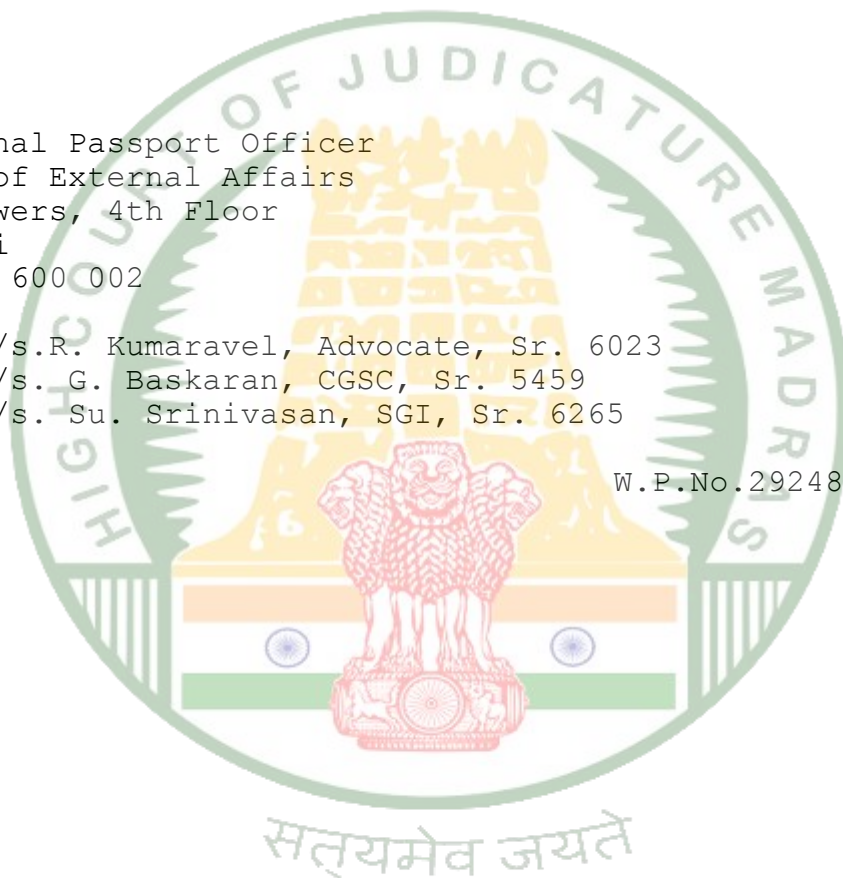
To

The Regional Passport Officer
Ministry of External Affairs
Rayala Towers, 4th Floor
Anna Salai
Chennai - 600 002

1 cc to M/s.R. Kumaravel, Advocate, Sr. 6023
1 cc to M/s. G. Baskaran, CGSC, Sr. 5459
1 cc to M/s. Su. Srinivasan, SGI, Sr. 6265

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