

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.21706/2016

Sonu B.Nahata

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Petitioner

Versus

The Regional Passport Officer,
Passport Seva Kendra, Aminjikarai
Navins Presidium, No.103,
Nelson Manickam Road,
Aminjikarai, Chennai 600 029
Tamil Nadu.

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Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondent to alter the petitioner's Date of Birth 27.10.1994 instead of 27.10.1994 and pass orders within the time to be imposed by this Court.

For Petitioner :Mr.N.Suresh

For Respondent :Mr.Su.Srinivasan,
Asst.Solicitor General

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner would state that he was born on 27.10.1994 at Chennai and to evidence the same, the Health Department of the Corporation of Chennai, had issued a Birth Certificate dated 30.05.2005 bearing Serial No.21723 and Receipt No.09967 of 2005. The petitioner, in the SSLC Mark sheet as well as Higher Secondary Course Mark Sheet, the date of birth was entered as 27.10.1994. The petitioner would state that when he was minor, he had applied for a passport and in stead of stating his date of birth as 27.10.1994, it was wrongly stated as 27.10.1995 and only at the time of renewal, the petitioner became aware of the said mistake and though it was represented to the respondent as to the said inadvertent mistake, he was directed to approach this Court for getting appropriate orders and therefore, came forward to file the present writ petition.

3 The learned counsel for the petitioner has drawn the attention of this Court to the typed set of documents and would submit that as per the Birth Register Extract, SSLC Mark Sheet and Higher Secondary Course Mark Sheet, the date of birth of the petitioner is 27.10.1994 and due to inadvertence, at the time of filling up the application for passport, when he was minor, it was wrongly stated as 27.10.1995 and the same was carried in the passport also and prays for appropriate orders.

4 Per contra, Mr.Su.Srinivasan, learned Assistant Solicitor General who accepts notice on behalf of the respondent would submit that admittedly, at the time of the submission of the application for passport, the petitioner's date of birth was entered as 27.10.1995 and therefore, the return of the application for renewal by the respondent directing the petitioner to get court orders, cannot be interfered with.

5 This Court considered the rival submissions and also perused the materials placed before it.

6 A perusal of the typed set of documents, viz., the Birth Register Extract, SSLC Mark Sheet, Higher Secondary Course Mark Sheet, would prima facie indicate that the petitioner was born on 27.10.1994 and not on 27.10.1995. It is also to be pointed out at this juncture that when the petitioner was minor, a passport was applied and according to the petitioner, an inadvertent error had crept in while filling up the application giving the date of birth wrongly as 27.10.1995 in stead of 27.10.1994.

7 In the light of the above facts and circumstances, the petitioner is permitted to represent the application for renewal of the passport to the respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondent is directed to consider the said application along with the documents produced by the petitioner and pass orders in accordance with law, within a further period of four weeks thereafter and communicate the decision taken, to the petitioner.

8 The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-
II)

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AP

To

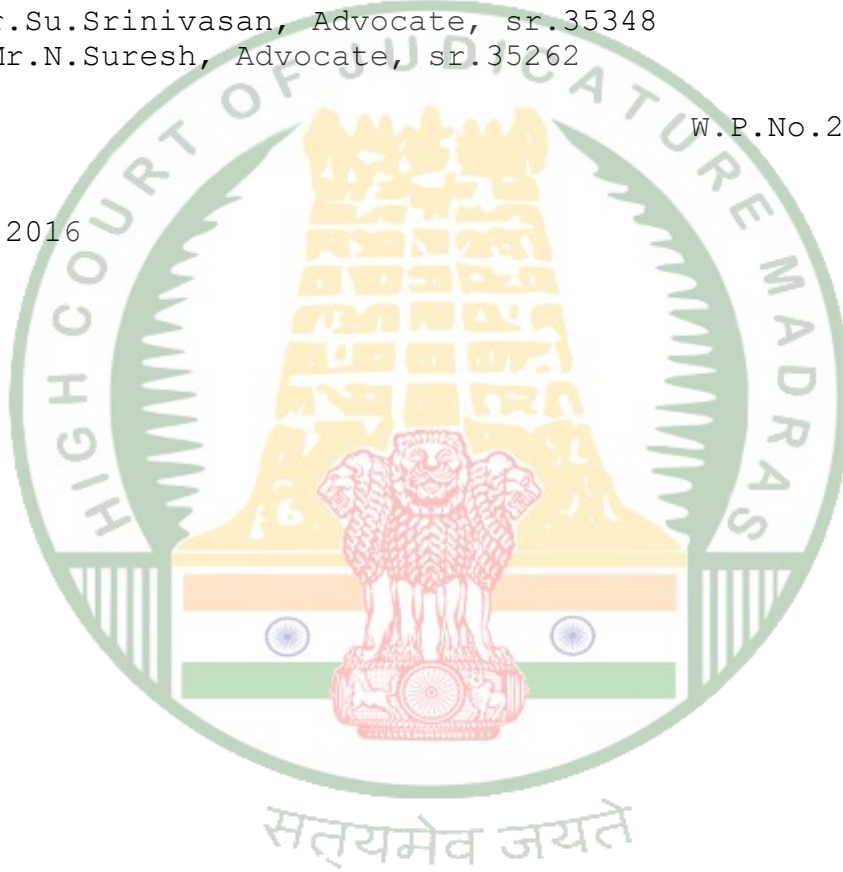
The Regional Passport Officer,
Passport Seva Kendra, Aminjikarai
Navins Presidium, No.103,
Nelson Manickam Road,
Aminjikarai, Chennai 600 029
Tamil Nadu.

1 cc to Mr.Su.Srinivasan, Advocate, sr.35348

3 ccs to Mr.N.Suresh, Advocate, sr.35262

W.P.No.21706/2016

nm co
kra 28.06.2016



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