



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.22403 of 2015

D.Gopalakrishnan

...Petitioner

Vs.

1.The Assistant Passport Officer (PG),
CPV Division, Ministry of External Affairs,
Room No.24, Patiala House,
Tilak Marg, New Delhi - 110 001.

2.The Regional Passport Officer,
Passport Seva Kendra : Trichy,
Plot No.A5, Salai Road,
Shastri Road Junction,
Thillai Nagar,
Trichy - 620 017.

3.The Regional Passport Officer,
Municipal Water Tank Building,
W.B.Road,
Tiruchirappalli - 620 008.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 05.10.2015 for re-issuance of passport file No.TR2078808141915 with the correct name and correct Date of Birth as per petitioner's certificates within a time frame fixed by this Court.

For Petitioner : Mr.S.Madhar Khan

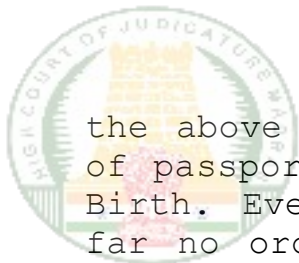
For Respondents : Mr.K.R.Laxman

Central Government Standing Counsel

ORDER

The present Writ Petition has been filed by the petitioner seeking a direction to the respondents to consider his representation, dated 05.10.2015 for re-issuance of passport file No.TR2078808141915 with the correct name and correct Date of Birth as per his certificates.

2.According to the petitioner, already passport has been issued to him on 23.09.2005. At the time of filing application for getting passport, his name was wrongly given as Gobalsamy and Date of Birth was wrongly endorsed as 01.01.1986, however, his correct name is Gopalakrishnan and actual Date of Birth is 01.01.1989. In



the above circumstances, now he filed an application for renewal of passport and he wanted to change the correct name and Date of Birth. Even though application has been filed on 05.10.2015, so far no order has been passed by the respondents, the petitioner has come up with the present writ petition.

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3.The learned counsel for the respondents would submit that the petitioner has deliberately given his name as Gobalsamy and also given his Date of Birth as 01.01.1986. If the actual Date of Birth as 01.01.1989 is considered, on the date of issuance of passport, he was a minor. Now after 10 years, the petitioner wants to change his name and Date of Birth and it is not permissible as per the memorandum of Ministry of External Affairs, dated 26.11.2015.

4.In the above circumstances, without going into the merits of the case, since the petitioner's application, dated 05.10.2015 is pending, the second respondent is directed to consider his application on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS)

To

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3.The Regional Passport Officer,
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W.B.Road, Tiruchirappalli - 620 008.

+1cc to Mr.S.Madharkhan, Advocate in SR.64994

+1cc to Mr.K.R.Laxman, Advocate in SR.64627

W.P (MD) No.22403 of 2015

26.10.2016