



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPALW.P. (MD) No.1517 of 2016

Inool Jariah Jawahar

... Petitioner

Vs.

The Regional Passport Officer,
Passport Seva Kendra,
Claret Plaza, Melakkal Main Road,
Kochadai,
Madurai 625 016.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to re-issue the passport bearing No.E6726971 to the petitioner after incorporating the date of birth of the petitioner as 22.10.1964 and place of birth of the petitioner as Bodinayakkanpatty, Madurai Rural in conformity with the petitioner's birth certificate dated 01.12.2015 and the order of the learned Judicial Magistrate cum Munsif Court, Vadipatti, Madurai in Cr.M.P.No.7956/2015 dated 16.11.2015 within a stipulated time.

For Petitioner
For Respondent

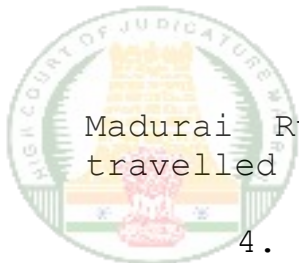
: Mr.N.Karthik Kanna
: Mr.N.Shanmuga Selvam

O R D E R

Heard both sides.

2. According to the Petitioner, she was born at Bodinayakkanpatti Village, Vadipatti Taluk, Madurai on 22.10.1964 and the said detail was mentioned in all the certificates including the Transfer Certificate and Service Register. But, in the year 1993, she obtained a Passport (No.P708833) through an agent at Trichy and the same was renewed during the year 2003 through an agent and she was issued with a Passport (No.E6726971)

3. The grievance of the Petitioner is that later on, she found that due to miscommunication, her date and place of birth entered in her passport i.e., date of birth was entered as 22.08.1967 instead of 22.10.1964 and place of birth was entered as Puliankulam, Virudhunagar instead of Bodinayakkanpatty,



Madurai Rural. The fact of the matter is that she had not travelled abroad anywhere till date.

4. The Learned counsel for the Petitioner submits that the passport issued to the Petitioner expired on 14.09.2013 and on 13.08.2015, the Petitioner applied for re-issue of passport with correct particulars from the Respondent through website and her appointment was confirmed on 14.08.2015. It appears that the Respondent rejected her application mentioning that there was correction in date of birth, her birth certificate and a birth declaratory order and therefore, necessary order from the concerned Court is very much required for re-issue of the passport in question.

5. The Learned Counsel for the Petitioner brings it to the notice of this Court that the Petitioner filed Cr.M.P.No.7965 of 2015 on the file of the Learned Judicial Magistrate-cum-Munsif Court, Vadipatti, Madurai relating to the relief of declaration of her birth. Ultimately, the Court passed an order declaring her date of birth as 22.10.1964 and the place of birth as Bodinayakkanpatty, Vadipatti Taluk, Madurai. Later, the Petitioner applied for the birth certificate from the Vadipatti Sub Registrar and on 01.12.2015, he was issued with the birth certificate in compliance with the order.

6. Thereafter, on 10.12.2015, she submitted a fresh application for re-issue of passport with correct date and place of birth. Her appointment was slated on 11.12.2015 at 10.00 a.m. and she approached the Respondent with all necessary documents along with birth certificate and the Court order. It is the plea of the Petitioner that even then the Respondent had refused to renew her passport and required the Court order with specific direction to the Passport Officer.

7. It is brought to the notice of this Court that the Petitioner's son's marriage is yet to be arranged at Singapore and further, her daughter also deserves to continue her post graduation at Singapore. Hence, there is an urgency to get her passport renewed at the earliest. Hence, the Petitioner has filed the present writ petition praying for passing of an order by this Court in directing the Respondent to re-issue the passport bearing No.E6726971 to the Petitioner, after incorporating the date of birth as 22.10.1964 and the place of birth as Bodinayakkanpatty, Madurai Rural in conformity with her birth certificate dated 01.12.2015 and coupled with the order of Learned Judicial Magistrate cum Munsif Court, Vadipatti, Madurai in Cr.M.P.No.7956 of 2015 dated 16.11.2015.

<https://hcservices.ecourts.gov.in/hcservices/> 8. At this juncture, the Learned counsel for the Respondent submits that the petitioner's application is not pending as on date on the file of the Respondent and if the Petitioner presents



another fresh application or representation of her earlier application dated 10.12.2015, then the Respondent would consider the same as per rules and regulations and would pass necessary orders at an early date.

9. Considering the factual submission of the Learned Counsel for the Respondent, at this stage, this Court without precipitating the matter any further, directs the Petitioner to submit a fresh application together with requisite documents before the Respondent within a period of one week from the date of receipt of a copy of this order. On receipt of application, it is needless for this Court to point out that on receipt of application by the Respondent, the Respondent is directed to look into the same and to dispose of the said application in the manner known to Law and in accordance with Law as expeditiously as possible.

10. With the aforesaid observation and direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

1.The Judicial Magistrate cum Munsif ,
Vadipatti

2.The Regional Passport Officer,
Passport Seva Kendra,
Claret Plaza, Melakkal Main Road,
Kochadai,
Madurai 625 016.

+One cc to Mr.N.Karthik Kanna, Advocate, SR.No.34611

+One cc to Mr.N.Shanmuga Selvam, Advocate, SR.No.34529

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RL/5C/3P/AAL/MPA/18/7/2016

W.P. (MD) No.1517 of 2016