



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.18123 of 2016

R.Aravind Kumar

... Petitioner

Vs.

The Regional Passport Officer,
Office of the Regional Passport Office,
Melakkal Main Road,
Kochadai,
Madurai- 625 016.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent herein to change the petitioner's date of birth as 25.06.1995 instead of 26.06.1995 and also include the petitioner's father's name as 'Ravi @ Periasamy' instead of "Ravi" in petitioner's passport bearing No. M 6778889, dated 27.02.2015 and also to re-issue the corrected passport within the time stipulated by this Court.

For Petitioner : Mr.A.R.Kannappan
For Respondent : Mr.K.R.Laxman

ORDER

The Petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondent herein to change the petitioner's date of birth as 25.06.1995 instead of 26.06.1995 and also include the petitioner's father's name as 'Ravi @ Periasamy' instead of "Ravi" in the petitioner's passport bearing No. M 6778889, dated 27.02.2015 and also to re-issue the corrected passport, within a stipulated time.

2. According to the petitioner, in the original Birth Certificate issued by the Sub-Registrar Office, his date of birth was wrongly shown as 26.06.1995. Subsequently, the same was corrected as 25.06.1995 and corrected Birth Certificate was also issued. While the matter stood thus, he obtained a passport from the respondent Passport Office on 27.02.2015. While filing the application, his date of birth was wrongly mentioned as 26.06.1995 instead of 25.06.1995, which is the correct date of birth and the name of the petitioner's father was also wrongly mentioned as 'Ravi' instead of 'Ravi @ Periasamy'. Hence, he submitted a



representation before the respondent on 14.03.2016 to make corrections in the passport.

3. The respondent filed a counter affidavit stating that since there are two Birth Certificates, unless the petitioner cancelled the original Birth Certificate in which his date of birth was wrongly mentioned, the respondent cannot re-issue the passport. Further, there is no provision under the Passport Act as well as the Circular issued by the Authorities, to change the name of the petitioner's father.

4. In the above circumstances, the petitioner is directed to take steps to cancel the original Birth Certificate, which shows the petitioner's date of birth as 26.06.1995 and also file an application seeking correction of the name of the petitioner's father and thereafter, to make a fresh application before the respondent. On receipt of such application, the respondent shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of six weeks thereafter.

With the above direction, this Writ Petition is disposed of.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To
The Regional Passport Officer,
Office of the Regional Passport Office,
Melakkal Main Road,
Kochadai,
Madurai - 625 016.

+1 cc to M/s.A.R.Kannappan, Advocate in SR.No.61117

+1 cc to M/s.K.R.Laxman, advocate in SR.No.61463

pm

CSL/SS-2/08.11.2016 :2P/4C

W.P(MD)No.18123 of 2016

18.10.2016