

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.11254 of 2012

ORDER :

It is stated by counsel on both sides that the issue raised in this Writ Petition is covered by the order dt.30.07.2013 in WP.No.21916 of 2013.

2. In the said judgment it has been held that as per a Circular No.VI/401/2/5/2001 dt.29.10.2007 (**for short, ‘the Circular’**) issued by the Ministry of External Affairs (PV-I Section), the passport issuing authorities can use their discretion to correct date of birth without a Court order where such a correction is only in months (not more than two years), subject to the applicants for passport giving a satisfactory explanation on payment of fees.

3. In view of the said legal position and since the petitioner is seeking a direction to respondent to renew his passport by rectifying his date of birth as 13.06.1969, instead of 05.10.1969 (there being a difference of only about four (04) months), the respondent is directed to consider correcting the date of birth without insisting on a Court order, and renew the passport of petitioner, keeping in view the above Circular.

4. This exercise shall be completed within a period of three (03) months from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition is allowed to the above extent. No order as to costs.

6. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 15-06-2016

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