

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.20525 OF 2015

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ORDER:

The petitioner filed this writ petition assailing the inaction of the 2nd respondent in considering the application of the petitioner dated 21.01.2015 for correction of his name, date of birth and place of birth in his passport bearing No.F4269142, issued on 18.07.2005.

The case of the petitioner is that he is a student of engineering under graduation course and he hold a passport bearing No.F4269142 issued by the 2nd respondent on 18.07.2005, which is valid till 17.07.2010 and at the time of issuing the said passport he was minor and that inadvertently a wrong date of birth, place of birth and name were crept in his passport wherein his date of birth appeared as 11.02.1995 instead of 11.04.1995, place of birth as Vikarabad instead of Karimnagar and name as Snehit Deshmukh instead of Snehit Reddy Deshmukh. Having detected the same, after validity of the passport expired, the petitioner submitted an application to the 2nd respondent on 21.01.2015 by enclosing his Secondary School Certificate and other documents for issuance of fresh passport by rectifying the mistakes in date of birth, place of birth and name. The respondent received the same vide Application Reference Number (ARN) 15-1000659467 and later issued a letter dated 02.03.2015 asking the petitioner to obtain a declaratory decree/order from the competent civil Court for correction of mistakes in the passport. Aggrieved by the same, present writ petition is filed.

Learned counsel for the petitioner submits that the 1st respondent issued a circular dated 18.04.2007 and as per clause (a) of the said circular, there is no need for declaratory Order from the competent civil Court; and that an applicant seeking rectification of date

of birth in the passport, Passport Issuing Authority may after verifying/satisfying himself, affect the corrections in the passport treating it as technical correction. He also relied on the Judgment in ***Mohd.Nasrullah Khan v. Regional Passport Officer, Hyderabad*** ^[1].

Head Sri B.Narayan Reddy, learned Assistant Solicitor General appearing for the 1st respondent.

In view of the aforesaid facts and circumstances, the letter dated 0.03.2015, issued by the 2nd respondent asking the petitioner to furnish declaratory decree from the competent civil Court, is set aside and the 2nd respondent is directed to consider the application of the petitioner in terms of Clause (a) (b) of the Circular dated 18.04.2007 and following the Judgment in ***Mohd.Nasrullah Khan's*** case.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

23.06.2016
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^[1] 2005 (1) ALT 95