

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Writ Petition No.13231 of 2017

Order:

The petitioner states that he is a businessman holding the passport issued on 05.08.2002 valid up to 04.08.2012, wherein his date of birth was recorded as 10.04.1983. However, he states that his correct date of birth was 10.04.1985 and the same was recorded in the Secondary School Certificate, Aadhar Card, Marriage Certificate and Pan Card etc. In view of the same, he submitted an application on 08.01.2016 for issuing a fresh passport with correct date of birth. He also submitted a representation on 13.03.2017 to the second respondent. When no action was taken, the present Writ Petition was filed.

Learned counsel for the petitioner relied on an order passed by this Court in W.P.No.7561 of 2015 dated 16.06.2015. Now, the Ministry of External Affairs issued an Office Memorandum on 26.11.2015 giving guidelines with regard to change/correction of date of birth entries in the passport of an applicant already held by him/her, in view of the judgment of the High Court of Kerala in W.P.No.9073 of 2015.

In the instant case, the petitioner appears to have submitted an application for correction of his date of birth on 13.03.2017. It appears that the date and month of the petitioner is not changed, but the year was wrongly mentioned. The petitioner states that the year mentioned in the passport is a mistake and now the petitioner applied for fresh passport in view of expiry of the earlier passport.

In the circumstances, the second respondent is directed to consider the representation of the petitioner dated 13.03.2017, verify whether the date of birth mentioned in the passport No.E2912738 issued by the respondents on 05.08.2002 was a clerical mistake or based on any documentary evidence and pass appropriate orders in accordance with law and also keeping in view the guidelines and circular instructions within a period of thirty (30) days from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

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

Date: 13.04.2017
Nsr

A. RAMALINGESWARA RAO, J

