

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.24128 OF 2017

ORDER:

Heard the learned counsel for the petitioner and Smt. S.Shiva Kumari, the learned counsel appearing for the respondent. With their consent, the Writ Petition is disposed of at the admission stage itself.

2. The present Writ Petition came to be filed seeking issuance of writ of *mandamus*, declaring the impugned order "File Closure Notification for Passport application No.HY 5079100257716" dated 14.06.2017 and letter dated 29.06.2016 referring to correct the date of birth as 01.06.1997 instead of 01.06.1995 basing on (1) birth certificate issued by Municipal Corporation, Kadapa, YSR District issued on 21.01.2016 and (2) SSC certificate, viz., Secondary School Certificate issued by Board of Secondary Education, Andhra Pradesh, recorded date of birth as 01.06.1997 as per Roll No.1222104796 as arbitrary, illegal and unsustainable and consequently, direct the respondent authorities to issue a valid passport by incorporating the petitioner's date of birth as 01.06.1997.

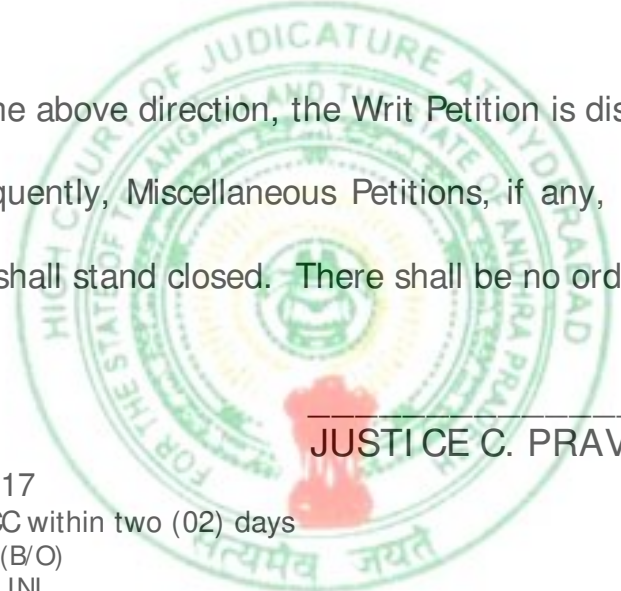
3. As seen from the record, there are two date of birth certificates issued by Municipal Corporation, Kadapa, i.e., one showing the date of birth as 01.06.1995 and the other showing the date of birth as 01.06.1997. In view of the discrepancy, the passport officers have rejected the request of the petitioner and

referred the case to the Municipal Corporation, Kadapa, for confirmation of the date of birth of the petitioner.

4. Having regard to the above, and as there is a dispute with regard to the actual date of birth, the petitioner, if so advised, may file an Original Petition before the concerned Court for declaration of correct date of birth and thereafter make an application to the concerned authorities for rectification of the date of birth in the passport, in which event the same shall be dealt with at the earliest.

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

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.



JUSTICE C. PRAVEEN KUMAR

Date:25.07.2017

Note: Furnish CC within two (02) days
(B/O)
INL