

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.24006 of 2016

R.Muddassir Rehman

... Petitioners

versus

1. The Regional Passport Officer,
Regional Passport Office,
Royala Towers, 2&3, 4th Floor,
Old No.785, New No.158,
Annasalai, Mount Road,
Chennai - 600 002, Tamil Nadu.

2. The Assistant Regional Passport Officer,
Passport Seva Kendra,
Navin's Presidium,
No.103, Nelson Manickam Road,
Aminjakarai, Chennai 600 029,
Tamil Nadu

...Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to correct the date of birth as 22.05.1985 as per original records of the petitioner instead of 22.05.1982 which was wrongly entered in the petitioner's previous passport bearing No.F2627173 issued on 20.04.2005. Therefore, the petitioner humbly prays this Hon'ble Court to direct the respondents to

consider the current Application Reference No.15-1011213941 dated 29.12.2015 which was rejected and remarks as "Apn ask dob change hence court order require". The petitioner humbly prays this Court to verify the petitioner's birth records submitted before this Court and pleased to pass an order to reissue the passport with correct date of birth as 22.05.1985 instead of 22.05.1982.

For Petitioner : Mr.B.Viswanathan

For Respondents : Mr.K.Ramamurthy,
Central Government Standing Counsel
R1 and R2

ORDER

The learned counsel appearing for the petitioner seeks for a mandamus directing the respondents to correct the Date of Birth in his Passport as 22.05.1985 instead of 22.05.1982.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. It is stated by the petitioner that his actual Date of Birth is 22.05.1985 and however, the same was wrongly entered in his passport

as 22.05.1982. The petitioner further contends that he has enough documents in his support to establish that his Date of Birth is 22.05.1985 and not 22.05.1982. Therefore, he submitted that the respondents may be directed to consider the request of the petitioner for correcting the Date of Birth in the passport.

4. On the other hand, the learned counsel appearing for respondents submitted that when the petitioner made an application for issuing a passport, he only referred the Date of Birth as 22.05.1982 and therefore, the said passport was issued by entering such date as his date of birth. However, the learned counsel appearing for the respondents is fair enough to submit that if the petitioner is having sufficient documents supporting his claim and if those documents are genuine, the same will be considered by the respondent and necessary action will be taken to pass orders on the petitioner's request for correcting the date of birth.

5. The learned counsel appearing for the petitioner submitted that the petitioner would approach the respondents and produce all the

documents which are in his possession, viz., original birth certificate, mark sheet issued by the school, driving license issued by the competent authority and voters ID card issued by the Election Commission of India etc.,

6. Considering the above stated fact and circumstances, this writ petition is disposed of, by directing the petitioner to approach the respondents and produce all the original documents in support of his claim for correcting the Date of Birth. The petitioner shall approach the respondents within a period of two weeks from the date of receipt of a copy of this order. On receipt of those supporting documents and on being satisfied with the genuineness of those documents, the respondents will consider the claim of the petitioner and pass appropriate orders within a period of four weeks thereafter. No costs.

Speaking/Non-speaking order
Index:Yes/No
rka/vri

02.02.2018

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K.RAVICHANDRABAABU,J.
rka/vri

To

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