



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD)No.3699 of 2018

P.Bhama Jothi

: Petitioner

Vs.

The Passport Officer,
Bharathi Ula Street,
Race Course Road,
Near Thamarai Thotti Bus Stop,
Madurai, Madurai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to correct the date of birth in petitioner's Passport bearing No.S0591721 as 28.06.1966 instead of 28.06.1962 within the time stipulated by this Court.

For Petitioner : Mr.A.David Oliver

For Respondent : Mr.V.Kathirvelan
Assistant Solicitor General, assisted by
Mr.P.Subbiah, Standing counsel for
Central Government

ORDER

The grievance of the petitioner is that her date of birth has been wrongly entered in the Passport bearing No.S0591721 as 28.06.1966 instead of 28.06.1962. In this connection, the petitioner had given a representation dated 29.12.2017 seeking alteration of her date of birth.

2.The learned Assistant Solicitor General relied upon an Official Memorandum of the Ministry of External Affairs, dated 22.09.2016, and submitted that the requisition for alteration of the date of birth cannot be entertained, after a period of five years, in the absence of any explanation. According to the learned Assistant Solicitor General, the application for alteration of date of birth in the Passport can be entertained, if it is accompanied with appropriate explanation.

3.It is seen that the petitioner's representation dated 29.12.2017 with regard to the above request is also pending before the respondent herein.



4. In my view, the petitioner can be given an opportunity to submit further explanation as to why the five years delay is caused to file a representation seeking for alteration of her date of birth and the justification for such alteration.

WEB COPY

5. In the result, liberty is granted to the petitioner to make a fresh representation by giving her explanation to the respondent herein and seeking for alteration of date of birth. On receipt of such representation, the respondent shall consider the same and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

The Passport Officer,
Bharathi Ula Street,
Race Course Road,
Near Thamarai Thotti Bus Stop,
Madurai, Madurai District.

+1CC to Mr.A.David Oliver, Advocate in SR.No.72155.

+2CC to Mr.P.Subbiah, Advocate in SR.No.72113.

GNS

DS/SV/SAR-1 :19.07.2018: 2P/5C

W.P. (MD) No.3699 of 2018
10.07.2018