



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.16838 of 2018

WEB COPY

S.Abdul Kader

... Petitioner

vs.

The Passport Officer
Regional Passport Office
Madurai

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent to consider the petitioner's representation dated 17.07.2018 and thereby alter the date of birth found in the Passport No.H1025229 and print the petitioner's date of birth as 09.04.1983 found in Certificate issued by Board of Matriculation Examination and Higher Secondary Examination dated 17.06.1999 and 28.05.2001 respectively within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.T.S.Mohamed Mohideen

For Respondent : Mr.K.Prabhu

Central Government Standing Counsel

O R D E R

Mr.K.Prabhu, learned Central Government Standing Counsel, takes notice for the respondent.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 17.07.2018 seeking to alter his date of birth found in the Passport bearing No.H1025229, has not been considered by the respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondent is duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of his office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct him to consider the petitioner's representation within a stipulated time.

<https://hcservices.ecourts.gov.in/hcservices/>

5. In view of the limited prayer sought for in this writ



petition, there shall be a direction to the respondent to consider the petitioner's representation dated 17.07.2018 on its own merits and take further action in accordance with law, within a period of four 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-II)

/True copy/

Sub Assistant Registrar (CS-III)

+1cc to Mr.K.PRABHU, Advocate, SR.No.76007

+1cc to Mr.T.S.MOHAMED MOHIDHEEN, Advocate, SR.No. 75809

KRK

KK/MMS/SAR-3/11.08.2018/2P-3C/

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