

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.16904 of 2022 &
W.M.P.No.16204 of 2022

J.NadhiraAshrath

... Petitioner

vs.

The Regional Passport officer
Passport Seva Kendra Saligramam.
No.1, Bhanumathi Ramakrishna Road,
Bharani Colony, Vijayaraghavapuram,
Saligramam Chennai-93.

...Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the respondent to rectify the error with respect of the date of birth which has been wrongly stated as 25.06.1997 to 25.01.1997 in petitioners Indian Passport bearing No.L5786044.

For Petitioner : Mr.D.Saikumaran

For Respondent : Mrs.V.Sudha
Standing Counsel

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondent to rectify the error in the petitioner's passport with regard to her date of birth based on her representation dated 07.03.2022.

2. According to the petitioner, her correct date of birth is 25.01.1997 whereas in her passport it has been wrongly mentioned as 25.06.1997. The petitioner has filed documents along with this writ petition which includes Aadhar Card, Tenth Standard Mark Sheet, +2 Mark Sheet and Degree Certificate to show that her correct date of birth is 25.01.1997 and not 25.06.1997 as disclosed in the passport. The petitioner gave representation dated 07.03.2022 to the respondent seeking for rectification of the said error in her passport. Since the said representation has not been considered till date, she has filed this writ petition.

3. Heard Mr.D.Saikumaran, learned counsel for the petitioner and the Mrs.V.Sudha, learned standing counsel appearing for the respondent.

4. Learned Standing Counsel appearing for the respondent has received instructions from the respondent stating that a mere representation of the petitioner would not suffice and he has to submit an application in accordance with the format prescribed by the respondent seeking for rectification of petitioner's date of birth from 25.06.1997 to 25.01.1997. Learned counsel for the respondent on instructions would submit that once the application is received in accordance with the format prescribed by the respondent, the respondent shall consider the same on merits and in accordance with law within a time frame to be fixed by this Court.

5. After recording the rival submissions, this Court directs the petitioner to submit a fresh application seeking for rectification of her date of birth in the passport within a period of one week from the date of receipt of a copy of this Order. On receipt of the same, the respondent shall consider the same and pass final orders on merits and in accordance with law within a period of eight weeks thereafter, after affording a fair hearing to the petitioner including granting her the right of personal hearing and the petitioner is permitted to produce documents/authorities in support of her contentions.

6. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

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To

The Regional Passport officer
Passport Seva Kendra Saligramam.
No.1, Bhanumathi Ramakrishna Road,
Bharani Colony, Vijayaraghavapuram,
Saligramam Chennai-93.

+1cc to Mrs.V.Sudha, Advocate SR.No.42828
+1cc to Mr.D.Saikumaran, Advocate SR.No.42688

W.P.No.16904 of 2022

SSD(CO)
GMY(22/07/2022)