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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 11.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.18403 of 2020
and
W.M.P(MD)No.15399 of 2020

Deva Kiruba Dani Sam Selvin Paul

..Petitioner

Vs

The Regional Officer,
Office of the Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to rectify the mistakes crept in in the Petitioner's passport, with passport No.290301 in "Date of Birth" as 4.6.1981 instead of 5.10.1981, which is wrong entry on it, by considering the Petitioner's representation, dated 10.10.2020 within the time stipulated by this Court.

For Petitioner :Mr.C.Kishore

For Respondent :Mr.V.Malaiyendran

ORDER

The Petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus directing the respondent to rectify the mistakes crept in in the Petitioner's passport, with passport No.290301 in "Date of Birth" as



5.The learned counsel for the Petitioner produced a decision made in **W.P(MD)No.3758 of 2022**, wherein, no positive orders was passed and an order was passed to consider and pass final orders on merits after affording a fair hearing to the Petitioner.The learned counsel for the petitioner has also placed reliance on yet another decision reported in **2015(1)CWC 243** in the case of **S.Rajesh Kumar .vs. The Secretary, Board of Higher Secondary Education, Department of Government Examinations, Madras-6 and others**, wherein, it is stated that the contention of the Educational Authority that correction can be made only before the student leave the school and not later and there cannot be different entries in public records maintained by different authorities.

6.This Court is of the view that the passport is a very vital document which enable a citizen of a country to go to another country and to return back and moreover, it is a sensitive issue and the particulars/details furnished by the applicant should be true to the knowledge of the applicant. The Petitioner's contention that when he was a minor he obtained passport with a wrong date of birth and now after a lapse of 20 years, he wants to change the date of birth and the same cannot be considered by this Court after a lapse of so many years and as such, no positive direction can be given to the passport authorities in this regard. The passport authorities are the competent authorities, who have to look into all these aspects and pass appropriate orders on the issue/reissue of



passport.

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7. On the above facts and circumstances, this Court, without going into the merits of the matter, directs the respondent to consider the representation of the Petitioner, dated 10.10.2020 given in this regard and pass appropriate orders on merits and in accordance with law, within a period of sixteen weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

11.11.2022

Index : Yes/No

Internet: Yes/No

vsn

To

The Regional Officer,
Office of the Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.



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V.BHAVANI SUBBAROYAN,J
vsn

ORDER MADE IN

W.P(MD)No.18403 of 2020

11.11.2022



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