



W.P.(MD)No.360 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :03.02.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.360 of 2015

V.Paramasivam

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Municipal Water Buildings,
West Bouliward Road,
Tiruchirappalli-620 008.

2.The Passport Officer,
Passport Office,
Tiruchirappalli-620 008.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to re-issue the Passport to the petitioner after rectifying the petitioner's Date of Birth is 09.03.1976 instead of 09.03.1972 as per the petitioner's School Records and Birth Certificate and on the basis of the petitioner application dated 23.07.2014.



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For Petitioner :Mr.G.Karnan
For Respondents :Mr.D.Saravanan
Central Government Senior Standing Counsel

ORDER

This writ petition has been filed seeking for a mandamus to direct the respondent to re-issue the passport to the petitioner after rectifying the petitioner's Date of Birth as 09.03.1976 instead of 09.03.1972, as per the petitioner's School records and Birth Certificate.

2. The learned counsel for the petitioner would submit that the respondent had wrongly entered the Date of Birth, while issuing the original passport. The Date of Birth has been entered as 09.03.1972, whereas his actual Date of Birth is 09.03.1976. To substantiate the same, he had produced the Secondary School Leaving Certificate, Higher Secondary School Leaving Certificate and the Birth Certificate issued in favour of the petitioner. He would also submit that he had filed CrI.M.P.No.8154 of 2006 before the Judicial Magistrate, Pudukkottai, wherein, by order dated



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14.03.2007, it was held that the petitioner was born on 09.03.1976. On the strength of the documents, he had made an application for renewal of the passport in the year 2014 and the same was not issued to him. However, a feedback form had been given to the petitioner calling upon him to obtain a direction from the Court to amend the correct Date of Birth in the passport. Hence, he had approached this Court, by way of this instant writ petition.

3. The learned counsel for the respondents would submit that if the petitioner submits all necessary and relevant documents to establish his Date of Birth as 09.03.1976, his application would be considered and appropriate orders would be passed.

4. I have considered the rival submission made by the learned counsel appearing on either side.

5. In view of the facts narrated above, I am constrained to direct the first respondent to consider the application made by the petitioner in file No:TR1077876899914, based on the documents submitted by the petitioner,



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namely the school certificate, birth certificate and the order passed by the Judicial Magistrate in CrI.M.P.No.8154 of 2006 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

03.02.2023

Index : Yes / No
Speaking Order/Non Speaking Order
sbm

To

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West Bouliward Road,
Tiruchirappalli-620 008.

2.The Passport Officer,
Passport Office,
Tiruchirappalli-620 008.



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K.KUMARESH BABU, J.

sbn

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