



W.P(MD)No.21037 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.21037 of 2016

M.Ajmalkhan

... Petitioner

Vs

The Regional Passport Officer,
Regional Passport Office,
Trichy.

...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 herein to correct the Petitioner's date of birth as 10.04.1977 in the Petitioner's passport No. M2976664 issued on 24.10.2014.

For Petitioner : Mr.Thomas Parimannan
For Respondent : Mr.S.Jeyasingh
Standing Counsel

ORDER

This writ petition is filed for a Mandamus, directing the passport authorities/the respondent herein to correct the Petitioner's date of birth as 10.04.1977 in the Petitioner's passport No.



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M2976664, which was issued on 24.10.2014.

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2. According to the petitioner, his date of birth is 10.04.1977. However, it was wrongly mentioned as 10.06.1971 in his passport No. M2976664, which was issued on 24.10.2014. Therefore, he made a request for change of his date of birth on 07.10.2016. Since the passport authorities have not considered the petitioner's request, the petitioner has filed this writ petition in the year 2016.

3. The learned Standing Counsel appearing for the respondent passport authorities by referring the counter affidavit submits that the petitioner has joined in the School on 05.06.1992 in VIII Std and left the School on 18.02.1993. He got the Transfer Certificate on 24.09.2005 with the date of birth 10.04.1977. As per the claim of the petitioner, when he obtained a passport on 23.07.1993, he was a minor. The respondent after verification found that the claim of the petitioner for change of date of birth is found to



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be false and the petitioner has submitted his application after a period of five years. Therefore, his application was rightly rejected.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.Originally, the passport was issued to the petitioner based on the documents placed by the petitioner before the passport authorities. Now, the petitioner claims that the actual date of birth is 10.04.1977, however, it was wrongly mentioned in the passport as 10.06.1971. The petitioner has relied upon the Transfer Certificate which was issued on 24.09.2005. The petitioner has originally obtained passport vide passport No.P866918 on 23.07.1993. The passport was re-issued on 08.08.2005. Even at that time, the petitioner has not placed any materials for change of his date of birth. Thereafter, he has obtained Transfer Certificate on 24.09.2005 and claims that in his passport, the date of birth has been wrongly mentioned.



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6.In view of the above, this Court is not inclined to issue any directions as prayed for. However, this writ petition is disposed of with a liberty to the petitioner to approach the appropriate forum to obtain an order for change of his date of birth and thereafter, the petitioner shall file an application afresh along with the relevant document before the first respondent. On such application with the relevant document, the respondent shall consider the same and take a decision within a period of twelve weeks from thereon. No costs.

13.12.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
vrn

To

The Regional Passport Officer,
Regional Passport Office,
Trichy.



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B.PUGALENDHI, J.

vrn

Order made in
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