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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 22.11.2023**

**CORAM**

**THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN**

**WP(MD)No.22638 of 2023**

Vasanth ... Petitioner

v.

The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai. ... Respondent

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent to dispose the petitioner's representation dated 25.07.2023 for an order of correction of date of birth in the petitioner's passport to renew and replace the correct date of birth as 15.09.1980.

For Petitioner : Mr.N.Madhava Govindhan
For Respondent : Mr.J.Alaguram Jothi

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**ORDER**

Heard both sides.

2.The petitioner obtained passport in the year 2009. It expired in the year 2019. The petitioner applied for renewal. The petitioner discovered that her date of birth has been incorrectly mentioned. Therefore, she wants the same to be corrected. The birth certificate indicates her date of birth as 15.09.1980. She gave a representation in this regard. Since it has not been considered, the present writ petition came to be filed.

3.My attention is drawn to the order dated 25.07.2023 made in WP(MD)No.15336 of 2015. Para Nos.5 to 7 of the said order reads as follows :

> "5.It is true that the passport is a solemn document and the applicant must offer correct particulars at the time of application. But some times, errors do happen. The petitioner has enclosed his certificate of birth issued by the competent authority and it is seen therefrom that the petitioner was born on 18.09.1960. When the birth certificate has been produced, the passport entry must conform to the brith certificate.
>
> 6.The learned counsel for the petitioner drew my attention to the order dated 26.02.2016 made in W.P.(MD)No.6163 of 2016. Paragraph Nos. 4 & 5 of the said order read as follows:-

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> "4. As seen from the copy of the Birth Certificate issued by the Municipal authority, it is clear that the petitioner's date of birth is 16.08.1978. The petitioner (party-in-person) submitted that in an identical case, the Madurai Bench of this Court in W.P.(MD).No.12223 of 2014, by order dated 09.10.2015, gave positive direction, taking into consideration the facts and circumstances of the case, and directed the respondent therein (passport authority) to issue passport to the petitioner therein by incorporating his original date of birth within a period of four 4 weeks from the date of receipt of a copy of the order. 5. Following the above said order dated 09.10.2015 passed by the Madurai Bench of this Court in W.P. (MD).No.12223 of 2014, this Writ Petition is disposed of, by directing the petitioner to produce his Birth Certificate and other documents to the third respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the third respondent is directed to conduct enquiry and pass an appropriate order with regard to issuance of fresh passport to the petitioner, by incorporating his date of birth as 16.08.1978, within a period of two weeks thereafter. No costs."

4.I am inclined to adopt the very same approach. The petitioner is permitted to submit a fresh application before the respondent. This can be done even at the time of renewal of the passport. The petitioner shall also place the certified copy of the birth certificate before the respondent or the authorities before whom renewal application is submitted. The respondent shall make appropriate correction in the passport so that the petitioner's date of birth as reflected in his birth certificate is entered.

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5.This writ petition is disposed of accordingly. No costs.

**22.11.2023**

Index : Yes / No
Internet : Yes/ No
skm

**To**

The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai.

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**G.R.SWAMINATHAN, J.**

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