



WP(MD)No.23023 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **23.11.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.23023 of 2021

Kannappan

...Petitioner

/Vs./

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

2.The Passport Officer,
Passport Seva Kendhra,
Tirunelveli City,
No.13, South Bypass Road,
Xavier Colony, Tirunelveli.

...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of mandamus directing the 2nd respondent to reissue the passport to the petitioner based on the petitioner's representation dated 18.11.2021.

For Petitioner : Mr.L.George Paul Anto

For Respondents : Mr.S.Jeyasingh

Senior Panel Counsel



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WP(MD)No.23023 of 2021

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the second respondent to reissue the passport of the petitioner, based on the representation made by the petitioner on 18.11.2021.

2. Heard Mr.L.George Paul Anto, learned counsel appearing for the petitioner and Mr.S.Jeyasingh, learned Senior Panel Counsel appearing for the respondents.

3. It is seen from the records that the petitioner had always shown his date of birth as 05.01.1960 and the passport was also issued to him with this date of birth. It was renewed from time to time. All of a sudden, the petitioner has mentioned his date of birth as 05.01.1965 and that is the reason why the authorities were not permitting the petitioner to adopt a different date of birth while reissuing the passport.

4. In the considered view of this Court, there is no dispute that the petitioner had shown his date of birth as 05.01.1960 and passport was also



WP(MD)No.23023 of 2021

issued to him and it was renewed from time to time. Even in the latest passport that was issued for the period from 22.03.2016 to 21.03.2026, the date of birth has been mentioned as 05.01.1960. The petitioner wanted this date of birth to be changed and for re-issuance of the passport. The same was not accepted by the second respondent and aggrieved by the same, the present writ petition has been filed before this Court.

5. It is also seen from the records that the secondary school leaving certificate that was issued to the petitioner during the year 1981, the transfer certificate that was issued by the school during the year 1981 and also the voter ID that was issued to the petitioner, carry his date of birth as 05.01.1965. It is only in the passport that the date of birth has been mentioned as 05.01.1960. This is obviously a mistake that had crept in which requires consideration and alteration in the passport.

6. If ultimately, there are valid documents to show the correct date of birth of the petitioner and these are documents of sterling quality, which had been given long time back in the name of the petitioner by the school authorities, it can always be acted upon by the passport authority. Infact, even in the Aadhar card, Pan card and in the driving licence, the date of birth of the



WP(MD)No.23023 of 2021

petitioner has been mentioned only as 05.01.1965. These are clinching documents, which establish that the date of birth of the petitioner has been consistently recorded only as 05.01.1965.

7. In view of the above, there shall be a direction first and second respondents to deal with the representation made by the petitioner on 18.11.2021 and collect all the necessary documents from the petitioner and change the date of birth in the passport from 05.01.1960 to 05.01.1965. This process shall be completed by the first and second respondents within a period of six weeks from the date of receipt of a copy of this order.

8. This writ petition is disposed with the above directions. No costs.

23.11.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
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WP(MD)No.23023 of 2021

TO:-

WEB COPY

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N.ANAND VENKATESH, J.

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Dated:
23.11.2023