



W.P(MD)No.2809 of 2024

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

DATED : 13.03.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.2809 of 2024

Pandidurai

... Petitioner

**Vs.**

The Regional Passport Officer,  
Regional Passport Office,  
Claret Plaza, Melakkal Main Road,  
Kochadai, Madurai – 16

... Respondent

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, the respondent to change the date of birth of the petitioner 04.06.1972 instead of 10.06.1969 in Passport No.N9604432 dated 25.04.2016 based on the petitioner's representation dated 24.01.2024.

For Petitioner : Mr.N.Kamesh

For Respondent : Mrs.B.Deepa,  
Central Govt. Standing Counsel for R1.



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## **ORDER**

Heard both sides.

2.The petitioner wants correction of his date of birth in the passport.

3.The respondent has filed counter affidavit and the learned Central Government Standing Counsel took me through its contents. She vehemently contended that a person who kept silent regarding his date of birth while renewing the passport on quite a few occasions earlier cannot now be permitted to change his stand. She relied on the decision of the Hon'ble Division Bench of this Court made in W.A.(MD)No.1510 of 2018 dated 08.11.2018.

4.I do find considerable force in the contention and objection raised by the learned Central Government Standing Counsel. But the issue in my view has to be viewed from a humanitarian perspective. The petitioner's date of birth was originally shown as 10.06.1969. The petitioner had obtained passport for the first time in the year 1990. His actual date of birth is 04.06.1972. The petitioner had not completed 18 years when he applied for the first time. He would have been wrongly advised. The petitioner probably wanted to secure employment abroad. But he never worked abroad. He has been an agriculturist



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in India. Now by effecting the correction, no prejudice will be caused to the Government. The materials enclosed in the typed set of papers convincingly show that his actual date of birth is 04.06.1972. A passport is a sovereign document. The entries set out therein must be in consonance with the actual record.

5.I direct the respondent to make the corrections as sought for by the petitioner in his passport. This writ petition is allowed accordingly. No costs.

**13.03.2024**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
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**G.R.SWAMINATHAN, J.**

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