

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 9887 OF 2013

Between:

Syed Nisar Hussain, S/o Syed Amjad Hussaini, aged about 39 years, Occ
Private Service, Presently R/o H.No.SRT-295, Sanath Nagar, Hyderabad -
500018.

...PETITIONER

AND

The Passport Officer, O/o The Regional Passport Office, Ministry of External
Affairs, Kummarguda, Secunderabad.

...RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass an order or writ particularly writ in the nature of Mandamus, declaring the action of the respondents officials in refusing to receive the application of the petitioner dt- 25th March, 2013 for issue fresh passport by changing the correct date of Birth 03-10-1974 as per correct date of birth as existing in the Date of Birth Certificate issued by M.C.H., and SSC Marks memo issued by the Board of Secondary Education, Hyderabad by taking out existing date of birth 10-03-1971 as in passport No.V402643 dt.10th Oct, 1995 and by changing the present residential address as SRT-295, Sanath Nagar, Hyderabad - 500 018 and renewing the passport and asking the petitioner to bring the Decree from the Civil Court of Law as arbitrary, illegal and high handed on the part of the respondents.

I.A. NO: 1 OF 2013(WFMP. NO: 12320 OF 2013)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to pass an order directing the respondent to receive the petitioner's application dt: 25th March, 2013 of the petitioner for issue fresh passport by changing the correct date of birth 03-10-1974 as per the date of birth as existing in the Date of Birth Certificate issued by M.C.H., and SSC Marks memo issued by The Board of Secondary Education, Hyderabad by taking out existing date of birth 10-03-1971 as in passport No.V402643 dt: 10th Oct, 1995 and by changing the present residential address as SRT-295, Sanath Nagar, Hyderabad - 500018 and renewing the passport and to issue fresh passport forthwith, pending the disposal of the writ petition, in the interests of justice.

Counsel for the Petitioner: SRI BAJRANG SINGH THAKUR

**Counsel for the Sole Respondent: SRI GADI PRAVEEN KUMAR,
DEPUTY SOLICITOR GENERAL OF INDIA**

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.9887 OF 2013

ORDER:

Heard Mr. Bajrang Singh Thakur, learned counsel appearing for the petitioner and learned Deputy Solicitor General of India appearing for the respondent.

2. The petitioner has filed the present writ petition seeking the following relief:

".....to pass an order or writ particularly writ in the nature of Mandamus, declaring the action of the respondent's officials in refusing to receive the application of the petitioner dt: 25th March, 2013 for issue fresh passport by changing the correct date of birth 03-10-1974 as per the correct date of birth as existing in the Date of Birth Certificate issued by M.C.H., and SSC Marks memo issued by the Board of Secondary Education, Hyderabad by taking out existing date of birth 10-03-1971 as in passport No: V402643, dt: 10th Oct., 1995 and by changing the present residential address as SRT-295, Sanath Nagar, Hyderabad- 500018 and renewing the passport and asking the petitioner to bring the " Decree from the Civil Court of Law" as arbitrary, illegal and high handed on the part of the respondents and pass any other suitable orders in the circumstances of the case for which the petitioner is legally entitle...."

3. Learned counsel appearing on behalf of the petitioner submits that liberty may be given to the petitioner to file a fresh

W.P. for issuance of fresh passport with correct date of birth as 03.10.1974 existing in the date of birth certificates issued by M.C.H and SSC marks memo issued by the Board of Secondary Education, Hyderabad, by removing the existing date of birth 10.03.1971 mentioned in passport No.V402643, dated 10.10.1995, and by mentioning the present residential address as SRT - 295, Sanathnagar, Hyderabad - 500018.

4. Taking into consideration the submissions made by learned counsel for petitioner that the petitioner would submit a fresh application, for issuance of passport with correct date of birth as 03.10.1974 and with present residential address as SRT - 295, Sanathnagar, Hyderabad - 500018, and upon such application being made by the petitioner with the requisite documents as required as per the rules, in force, for issuance of passport to the petitioner herein, the respondent authorities shall consider the same and pass appropriate orders in accordance to law and communicate the decision taken thereon to the petitioner within a period of two (02) weeks thereafter. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ
Petition, shall stand closed.

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SD/- V. HARI PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

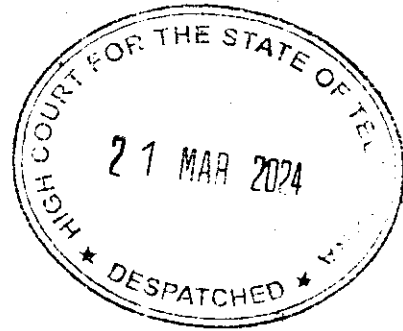
To,

1. The Passport Officer, O/o The Regional Passport Office, Ministry of External Affairs, Kummarguda, Secunderabad.
2. One CC to SRI BAJRANG SINGH THAKUR, Advocate [OPUC]
3. One CC to SRI GADI PRAVEEN KUMAR, DEPUTY SOLICITOR GENERAL OF INDIA, High Court for the State of Telangana at Hyderabad [OPUC]
4. Two CD Copies

BSR
GJP

HIGH COURT

DATED: 05/02/2024



ORDER

WP.No.9887 of 2013

**DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS**

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