

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

**TUESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA

WRIT PETITION NO: 36857 OF 2024

Between:

Mohammed Akber Uddin, S/o. Mohammed Fakruddin, aged about. 58 years,
Occ. Retired Employee, R/o. H.No.8-14-95/B, Ansari Road, Mustafa Nagar,
Falaknuma Hyderabad - 500053.

...PETITIONER

AND

1. The Union of India, Rep by its Secretary PSP Division, Ministry of External Affairs Patiala House, Tilak Marg New Delhi - 110001.
2. The Regional Passport Officer, D.No.8-2-215 to 219, Kummarguda, Secunderabad - 500003, Telangana.
3. Passport Seva Kendra, 8-1-305/306, Anand Silicon Chip, Shaikpet Nala, ToliChowki, Hyderabad - 500008, Telangana.

...RESPONDENTS

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 issue a writ, order or direction, more particularly like one in the nature of WRIT OF MANDAMUS, declaring the action of Respondents No.2 and 3 in refusing to renew/reissue the Original Passport of the Petitioner bearing No. E9386537, issued by the Respondent No.2 dated 17.06.2004 on the ground that the Date of Birth reflecting in Expired Passport and the Date of Birth reflecting in the documents(Aadhaar Card and PAN Card) provided for the renewal of Passport are different and advised to furnish DOB modified id proof with correct particulars which is being illegal, arbitrary, contrary to law and in gross violation of fundamental rights guaranteed under Article 14 and 21 of the Constitution of India and against the Passport Act,1967 and consequently direct the Respondent No.2 and 3 to renew/reissue the Passport bearing No. E9386537 issued by

Respondent No.2 dated 17.06.2004 either by changing the Date of Birth as per the document (Aadhaar Card and PAN Card) provided for the renewal of Passport or renew/reissue without effecting any change to the Date of Birth pending disposal of the writ petition.

IA NO: 1 OF 2024

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 direct the Respondent 2 and 3 to renew/reissue the Passport of the Petitioner bearing No. E9386537 issued by Respondent No.2 dated 17.06.2004 either by changing the Date of Birth as per the document (Aadhaar Card and PAN Card) provided for the renewal of Passport or renew/reissue without effecting any change to the Date of Birth pending disposal of the writ petition.

Counsel for the Petitioner: SRI MOHD HASSAN

**Counsel for the Respondents: SRI GADI PRAVEEN KUMAR
Dy. SOLICITOR GEN. OF INDIA**

The Court made the following: ORDER

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA

WRIT PETITION No.36857 OF 2024

Mr. Mohd Hassan, learned counsel appearing for the petitioner.

Mr. K.Mohan, learned counsel appearing for the respondents

ORDER:

The prayer in the writ petition itself is vague. The petitioner has prayed for renewal/reissue of the petitioner's passport by changing the petitioner's date of birth as per the Aadhaar Card and Pan Card but has also simultaneously prayed for renewal of passport without effecting any change to the petitioner's date of birth. The Court is unable to understand the prayer.

2. The impugned document dated 24.09.2024 issued by the Passport Seva Kendra contains the remarks of the Granting Officer. The remark is to the effect that the petitioner's passport is kept on hold for the petitioner to submit two ID's with corrected details along with other documents pertaining to the petitioner's change of name.

3. Even on the documents pointed out by learned counsel appearing for the petitioner, it is evident that the date of birth on the petitioner's expired passport is 06.06.1950 whereas the documents at Ex.P4 reflects the date of birth as 06.06.1966.

4. The discrepancy in the two dates of birth is obvious and the Court sees no reason why the petitioner should not produce relevant documents before the passport authorities for renewal of passport with a correct date of birth.

5. The Office Memorandum dated 26.11.2015 placed by counsel for the petitioner in fact records at paragraph 4 that only *bona fide* claims of the applicants for correction of date of birth should be accepted and that to if the applications are submitted within a reasonable period of time after the issuance of passport. Therefore, it is clear that the Office Memorandum cannot be of any assistance to the petitioner. The petitioner's passport admittedly expired on 16.06.2014.

6. The above reasons persuade this Court to dismiss the present writ petition. W.P.No.36857 of 2024 is accordingly dismissed. Interim orders, if any, shall stand vacated and all connected applications are disposed of. There shall be no order as to costs.

SD/- T.JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri Mohd Hassan, Advocate [OPUC]
2. One CC to Sri Gadi Praveen Kumar Dy. Solicitor Gen. Of India [OPUC]
3. Two CD Copies

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PSK

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HIGH COURT

DATED:31/12/2024

ORDER

WP.No.36857 of 2024



**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

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