



W.P.(MD)No.3545 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.3545 of 2025

M.Mohamed Nazar

... Petitioner

-VS-

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Street,
Race Course, Madurai.

2.The Passport Officer,
Passport Seva Kendra - Madurai,
Claret Plaza, Melakkal Main Road,
Kochadai, Madurai – 625 016.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to make correction of date of birth in the petitioner's Passport bearing No.Z6220901 replacing the correct date of birth as 10.05.1961 instead of 10.05.1969 and re-issue fresh Passport by considering his Application in ARN - 24 – 1014758749, dated 05.12.2024.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.S.Muthukumar



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ORDER

This Writ Petition has been filed seeking a direction to the the respondents to make correction in the date of birth of the petitioner's Passport bearing No.Z6220901 replacing the correct date of birth as "10.05.1961" instead of "10.05.1969" and re-issue fresh Passport, by considering his Application in ARN - 24 – 1014758749, dated 05.12.2024.

2. With the consent of both sides, this Writ Petition is disposed of at the admission stage itself.

3.The petitioner claims that while applying for the passport, he correctly mentioned his date of birth in the application form. However, due to an inadvertent error, the date of birth was incorrectly stated in his passport. Whenever the petitioner approached the respondents for renewal of his passport, he requested the authorities to correct his date of birth. Since no action has been taken, the petitioner has now filed the present Writ Petition.

4. Heard both sides.



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5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 05.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.



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7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

07.02.2025

To:-

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VIVEK KUMAR SINGH, J.

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