



W.P(MD)No.17689 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.17689 of 2025

Rahumathullah

... Petitioner

Vs.

The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to dispose of the petitioner's representation dated 25.02.2025 and his application in No.MD1077325426325 dated 21.01.2025 forthwith to re-issue fresh passport to the petitioner by altering the correct date of birth of the petitioner as 08.12.1978 instead of 23.04.1974 within the time that may be stipulated by this Court.

For Petitioner : Mr.K.Yasar Arapath

For Respondent : Mr.A.Balaji
Central Government Standing Counsel



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ORDER

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This writ petition has been filed for a Mandamus to direct the respondent to dispose of the petitioner's representation dated 25.02.2025 and his application in No.MD1077325426325 dated 21.01.2025 forthwith to re-issue fresh passport to the petitioner by altering the correct date of birth of the petitioner as 08.12.1978 instead of 23.04.1974.

2. The petitioner, who has been a holder of passport since 1996, which was renewed in the year 2015 for a period between 14.10.2015 and 13.10.2025 has now filed an application for renewal of the passport. In the passport, the date of birth of the petitioner is recorded as 23.04.1974 though according to the School records, the date of birth of the petitioner is 08.12.1978.

3. The learned counsel for the petitioner has drawn attention of this Court to the Transfer Certificate, PAN Card, Driving Licence, Aadhar card and the birth certificate issued by the Ramanathapuram Municipality under the provisions of the Tamil Nadu Registration of Births and Deaths Act, 1969, wherein, the date of birth of the petitioner is recorded as 08.12.1978.



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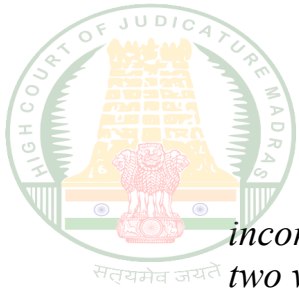
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4. It is the specific case of the petitioner that he is a semi illiterate person and the passport was obtained in the year 1996 when he was aged about 19 years old, by his parents. By oversight, the date of birth was wrongly mentioned as 23.07.1974, and this mistake was carried out while renewing the passport for the subsequent period between 14.10.2015 and 13.10.2025.

5. It is noticed that under similar circumstances, this Court has followed the earlier order, dated 26.02.2016 in W.P(MD)No.6163 of 2016, wherein, it has been held as under:

“4. As seen from the copy of the Birth Certificate issued by the Municipal authority, it is clear that the petitioner's date of birth is 16.08.1978. The petitioner (party-in-person) submitted that in an identical case, the Madurai Bench of this Court in W.P.(MD).No. 12223 of 2014, by order dated 09.10.2015, gave positive direction, taking into consideration the facts and circumstances of the case, and directed the respondent therein (passport authority) to issue passport to the petitioner therein by incorporating his original date of birth within a period of four 4 weeks from the date of receipt of a copy of the order.

5. Following the above said order dated 09.10.2015 passed by the Madurai Bench of this Court in W.P.(MD).No.12223 of 2014, this Writ Petition is disposed of, by directing the petitioner to produce his Birth Certificate and other documents to the third respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the third respondent is directed to conduct enquiry and pass an appropriate order with regard to issuance of fresh passport to the petitioner, by



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incorporating his date of birth as 16.08.1978, within a period of two weeks thereafter. No costs."

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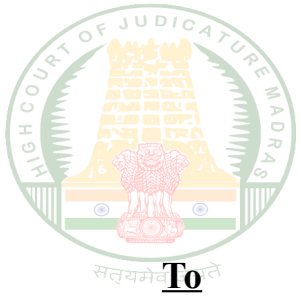
6. This view has been followed subsequently by this Court in the case of ***Abdul Rahman Vs The Passport Officer (W.P(MD)No.15336 of 2015)*** vide order dated 25.07.2023.

7. Considering the same, there shall be a direction to the first respondent to reconsider the application of the petitioner and to issue fresh passport with the correct date of birth as 08.12.1978 to the petitioner within a period of 8 weeks from the date of receipt of a copy of this order.

8. The writ petition stands disposed of. There shall be no order as to costs.

01.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To
The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
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C.SARAVANAN, J.

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