
(2007) 06 KL CK 0070

In the High Court Of Kerala

Case No : Writ Petition (C) No. 10611 of 2007

Biju Jacob

APPELLANT

Vs

State of Kerala and Another

RESPONDENT

Date of Decision : 08-06-2007

Acts Referred:

Citation : (2007) 2 KLJ 553

Hon'ble Judges : S. Siri Jagan, J

Bench : Single Bench

Advocate : Paul K. Varghese, for the Appellant; V.T.K. Mohanan (GP), for the Respondent

Judgement

S. Siri Jagan, J.—The petitioner applied for a passport. As proof of his date of birth petitioner has two records. One is his birth certificate, copy of which is Ext.Pl as per which his date of birth is 28-9-1971. However in his SSLC book the date of birth shown is 14-4-1972. In view of the discrepancy the second respondent Passport Officer refused to entertain the petitioner's application for passport. The petitioner's submission is that the date of birth was wrongly entered in the school records which happened to be carried over to the SSLC book. In the above circumstances, the petitioner has sought the following reliefs:-

- i) issue a writ of mandamus compelling the 2nd respondent to issue passport by relying the date of birth shown in Exts.Pl and P2 certificates without any delay.
- ii) issue a writ of mandamus or other appropriate writ, order or direction commanding the 2nd respondent to permit the petitioner to apply passport by showing the date of birth mentioned in Exts.Pl and P2 certificates.
- iii) issue such other writ, order or direction as may be necessary in the facts and circumstances of the case.

I have heard the learned counsel for the petitioner as also the learned Government Pleader and the Assistant Solicitor General. It cannot be disputed

that the extract from the register of births and death is an authentic document with regard to the date of birth of a person. It is also one of the records which need be produced along with the application for passport as proof of date of birth. In the above circumstances, despite discrepancy on the date of birth in the school records the respondent cannot object to consideration of his application for passport based on the birth certificate viz. Ext.Pl. Therefore, I direct the second respondent to consider the application of the petitioner for passport based on Ext.Pl birth certificate and the date of birth mentioned therein. The application shall be processed and orders passed within two weeks from the date of receipt of a copy of this judgment

The writ petition is disposed of as above.