

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

MONDAY, THE SIXTEENTH DAY OF MARCH  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA**

**WRIT PETITION NO: 28931 OF 2025**

**Between:**

Mr. Joise Thomas Kuzhimattammyalii, S/o Thomas Kuzhimattammyalii, Aged about 43 years, Occupation. Private Service, R/o H.No. 12-1-1347/2, Shanthi Nagar, North Lalaguda, Secunderabad, - TG 500017,

**...PETITIONER**

**AND**

1. Union of India, Rep. by its Principal Secretary, Ministry of External Affairs, South Block, New Delhi, India.
2. The Regional Passport Officer, O/o Regional Passport Office, D.No 8-2-215 to 219, kumurguda Secunderabad, Telangana - 500003

**...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 of Mandamus or any other appropriate writ, order or direction, declaring the Respondent no.2 in refusing to change/correct my Date of Birth (DOB) and place of birth in my passport bearing no. L8716989 vide application no. HY1075114331125 on the sole ground that this is not permissible after a lapse of 5 years from the issuance of the original passport, as per Ministry guidelines as illegal, arbitrary, and violative of Articles 14 and 21 of the Constitution of India and consequently direct the 2nd respondent to change my Date of Birth and Place of Birth in my passport bearing no. L8716989 vide application no. HY1075114331125 dated 29/04/2024.

**IA NO: 1 OF 2025**

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 2nd respondent to consider the petitioners application vide file no. HY1075114331125 dated 29/04/2024 for change/correct of Date of Birth (DOB) and place of birth in passport bearing no. L8716989 without reference to the 5 years rule in the interest of justice pending disposal of the above writ petition

**Counsel for the Petitioner: SRI VYSHNAVI FOR SRI GAJULA PREM KUMAR**

**Counsel for the Respondents: SRI KALVALA SANJEEV, SC FOR CENTRAL GOVT**

**The Court made the following: ORDER**

**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA**

**WRIT PETITION No.28931 of 2025**

**Dated:16.03.2026**

**Between:**

Mr. Joise Thomas Kuzhimattammyalil

**...Petitioner**

**AND**

The Union of India & another

**...Respondents**

**ORDER:**

This Writ Petition is filed seeking to declare the action of Respondent No.2 in refusing to correct the petitioner's Date of Birth and Place of Birth in Passport No.L8716989, pursuant to Application No.HY1075114331125, on the ground that such correction cannot be permitted after lapse of five years from the date of issuance of the passport, as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India, and consequently to direct respondent No.2 to correct the same.

2. Ms. Vyshnavi, learned counsel representing Sri G. Prem Kumar, learned counsel for the petitioner and Sri Kalvala Sanjeev,

learned Standing Counsel for Central Government, for the respondents.

3. Learned counsel for the petitioner submits that the petitioner was actually born on 15.10.1981 at Muttuchira, Kerala, and the said birth is duly recorded in the Birth Certificate issued by the Kaduthuruthy Grama Panchayat. She further submits that due to a clerical mistake at the time of school admission, the petitioner's Date of Birth and Place of Birth were wrongly entered in the SSC records as 04.04.1982 and Ayamkudy respectively. She submits that subsequently the petitioner approached the competent educational authorities and the Joint Commissioner for Government Examinations, Kerala, by proceedings dated 29.10.2018 corrected the Date of Birth as 15.10.1981 and Place of Birth as Muttuchira. She submits that the petitioner is also in possession of other valid documents such as Aadhaar Card and Birth Certificate reflecting the correct Date of Birth. She submits that despite submission of all the authentic documents, respondent No.2 rejected the request of the petitioner solely on the ground that correction of Date of Birth cannot be permitted after five years from the date of issuance of the original passport, which is mechanical and arbitrary. She further submits that the

impugned action of the respondents is illegal, unreasonable and violative of Articles 14 and 21 of the Constitution of India.

4. Learned Standing Counsel appearing for the respondents submits that the petitioner's original passport was issued in the year 2014 showing the Date of Birth as 04.04.1982, based on the documents furnished by the petitioner at that time. He submits that as per the existing circular instructions, requests for change of Date of Birth after a lapse of five years from the date of issuance of passport cannot ordinarily be entertained. He further submits that the petitioner had signed the passport application and affidavit at the time of issuance of the original passport, and therefore the petitioner is bound by the declarations made therein. He further submits that the impugned letter dated 19.08.2025 rejecting the petitioner's request was passed in accordance with the applicable circular guidelines.

5. This Court has considered the submissions made by the learned counsel appearing for the parties and perused the material available on record.

6. It is not in dispute that the petitioner has produced a Birth Certificate issued by the competent authority, along with other government-issued documents, reflecting the date of birth as

15.10.1981. The Office Memorandum dated 02.09.2016 clearly provides that even in cases where more than five years have elapsed since the issuance of a passport, the Passport Issuing Authority shall consider the explanation offered by the applicant, assess the genuineness of the claim, and shall not reject such requests in a routine or mechanical manner.

7. In the present case, the impugned letter reveals that the petitioner's request was rejected solely on the ground of lapse of five years, without examining the genuineness of the explanation or the authenticity of the supporting documents. Administrative authorities are expected to consider the explanation offered by the applicant and verify the genuineness of the documents, instead of rejecting such requests mechanically. In this case, the respondents have failed to examine the genuineness of the documents submitted by the petitioner, and the request was rejected solely on the ground of lapse of time. Therefore, the impugned letter cannot be sustained.

8. Accordingly, the Writ Petition is disposed of. The impugned letter dated 19.08.2025 passed by respondent No.2 is set aside. Respondent No.2 is directed to reconsider the petitioner's request for correction of the date of birth and place of birth in Passport No.

L8716989, in accordance with the Office Memorandum dated 22.09.2016. Upon verification of the genuineness of the documents submitted by the petitioner, the respondents shall reissue the passport with the corrected date of birth and place of birth, if otherwise in order. The said exercise shall be completed within a period of three (3) weeks from the date of receipt of a copy of this order. No costs.

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

**SD/- AHMED ABDULLA KHAN  
ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

**To,**

1. The Principal Secretary, Union of India, Ministry of External Affairs, South Block, New Delhi, India.
2. The Regional Passport Officer, O/o Regional Passport Office, D.No 8-2-215 to 219, kumurguda Secunderabad, Telangana - 500003
3. One CC to SRI GAJULA PREM KUMAR, Advocate [OPUC]
4. One CC to SRI KALVALA SANJEEV, SC FOR CENTRAL GOVT [OPUC]
5. Two CD Copies

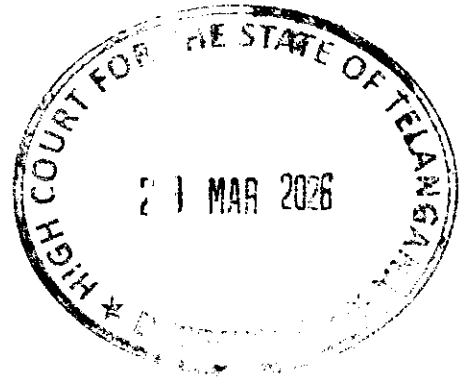
PMK



**HIGH COURT**

**CC TODAY**

**DATED:16/03/2026**



**ORDER**

**WP.No.28931 of 2025**

**DISPOSING OF THE WRIT PETITION**

**WITHOUT COSTS**

*(Signature)*  
23/3/26