

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 5343 OF 2026

Between:

MOHAMMED MUSTAFA AHMED, S/o Late Mohammed Iqbal Ahmed, Aged about 51 years, Occ- Private Employment, Presently residing at- Building No. 7958, Street 3B, Secondary No. 4212, Ar Rakah Ash Shamaliyah District, Al Khobar - 34224, Kingdom of Saudi Arabia, Rep. by his General Power of Attorney Holder Mrs. Anjum Parveen (Sister-in-law of Mohammed Mustafa Ahmed) D/o. Mohammed Sabir, R/o. H.No. 3-1-508, Warangal, Telangana.

...PETITIONER

AND

1. The Union of India, Ministry of External Affairs, Rep. by its Secretary, PSP Division Ministry of External Affairs, Room No 27, Patiala House, Tilak Marg, New Delhi 110001.
2. The Hyderabad Regional Passport Office, Rep. by its Regional Passport Officer, D. No. 8-2-215 to 219 Near Prashant Theatre, Kummarguda, Secunderabad-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- a) Issue a Writ of Mandamus directing the Respondents to consider and allow the Petitioners application dated 28/08/2024 and correct the Petitioners Name in Passport No. X5893243 as- Surname- Mohammed Given Name- Mustafa Ahmed, b) Issue a Writ of Mandamus directing the Respondents to correct the Petitioners Date of Birth in Passport No. X5893243 from 02/10/1970 to 05/02/1975, strictly in accordance with the statutory Birth Certificate and in terms of Clause (iv) of the

Office Memorandum dated 22/09/2016 and Paragraph 5.2 of the Passport Manual, 2010.

I.A. NO: 1 OF 2026

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 Respondents to provisionally process and record the correction of the Petitioners Date of Birth from "02/10/1970 to 05/02/1975", subject to final adjudication, in view of the unimpeachable statutory Birth Certificate and the urgent requirement for enrolment in CIPD Level 3 certification, as the subsisting incorrect Date of Birth is presently obstructing professional certification and career progression, thereby causing immediate and irreparable prejudice.

Counsel for the Petitioner: SRI. SYEDA ARSHIYA MAHJABEEN

**Counsel for the Respondents: SRI. N BHUJANGA RAO,
DEPUTY SOLICITOR GENERAL OF INDIA**

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.5343 of 2026

Dated:05.05.2026

Between:

Sri Mohammed Mustafa Ahmed

...Petitioner

AND

The Union of India & another

...Respondents

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the action of the respondents in not correcting the petitioner's name and Date of Birth in Passport No.X5893243 as illegal and arbitrary, and consequently to direct the respondents to carry out necessary corrections in accordance with the Birth Certificate and other contemporaneous records.

2. Heard Ms. Syeda Arshiya, learned counsel for the petitioner and Sri N. Bhujanga Rao, learned Deputy Solicitor General of India, for the respondents.

3. The case of the petitioner, in brief, is that his correct name is "Mohammed Mustafa Ahmed" and his correct Date of Birth is "05.02.1975", as evidenced by the Birth Certificate issued by the competent authority under the Registration of Births and Deaths Act, 1969, and also reflected in his SSC Certificate, PAN Card and Aadhaar Card. It is stated that the incorrect Date of Birth i.e., "02.10.1970" came to be recorded in the passport at the time of its initial issuance in the year 1993, when the petitioner was a minor, due to inadvertent clerical error, and the same was continued in subsequent renewals without proper verification. It is stated that the petitioner made an application on 28.08.2024 before the Passport Authorities for correction of the said entries by producing all relevant documents. However, the respondents failed to consider the same and insisted upon a court order. It is further stated that such action is contrary to the Office Memorandum dated 22.09.2016 and the Passport Manual, 2010, which permit correction of Date of Birth upon verification of genuine documents, particularly where the error occurred during minority.

4. The petitioner has also filed a memo stating that the correction sought in the present writ petition is purely clerical and intended to bring the petitioner's name and Date of Birth in the ~~pas~~passport in conformity with the Birth Certificate and other public records. It is stated that the petitioner does not seek such

correction for any service or employment-related benefit. The petitioner is working in the private sector abroad, and the correction is required only for maintaining consistency of identity in official and professional records and to avoid administrative difficulties. It is further stated that the incorrect Date of Birth is a clerical error that occurred during the petitioner's minority and has no connection with any pecuniary or service advantage. The petitioner, therefore, seeks early consideration of the matter in view of his professional requirements.

5. On the other hand, learned Deputy Solicitor General of India appearing for the respondents submits that the petitioner's original passport, issued in the year 1993, recorded the Date of Birth as 02.10.1970 on the basis of the documents furnished at the time of application, and the said entry has been consistently carried forward in all subsequent renewals without any objection from the petitioner. He submits that the petitioner, having accepted the said entry for a considerable length of time, cannot now seek its alteration at a belated stage. He submits that as per the prevailing circular instructions and policy guidelines governing the field, requests for change or correction of Date of Birth after a lapse of five years from the date of issuance of passport are ordinarily not entertained, in order to maintain certainty and integrity of official records. He submits that the passport is issued on the basis of

declarations and documents submitted by the applicant, and therefore, the petitioner is bound by the particulars furnished at the relevant point of time.

6. Learned Deputy Solicitor General further submits that entertaining such belated claims would open floodgates for similar requests and may lead to administrative complications. He further submits that in the absence of any exceptional circumstances warranting interference, the respondents have acted strictly in accordance with the applicable rules and instructions, and therefore, the Writ Petition is liable to be dismissed.

7. This Court has considered the submissions made by learned counsel on either side and perused the material available on record.

8. It is not in dispute that the petitioner has placed on record a Birth Certificate issued by the competent statutory authority along with other supporting documents. The Office Memorandum dated 22.09.2016 makes it clear that even in cases where a request is made after a long lapse of time, the Passport Issuing Authority is required to consider the explanation offered by the applicant, verify the genuineness of the documents, and shall not reject such requests in a routine or mechanical manner.

9. In the considered opinion of this Court, the claim of the petitioner requires examination by the competent authority in the light of the aforesaid Office Memorandum and the relevant provisions of the Passport Manual, upon due verification of the documents produced.

10. Accordingly, the Writ Petition is disposed of directing respondent No.2 to consider the petitioner's application dated 28.08.2024 for correction of name and Date of Birth in Passport No.X5893243, in accordance with the Office Memorandum dated 22.09.2016 and the applicable rules. Upon verification of the genuineness of the documents, the respondents shall take appropriate steps for correction and reissue of the passport to the petitioner, if otherwise in order. The said exercise shall be completed within a period of three (03) 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/-A.SREENIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of External Affairs, PSP Division
Ministry of External Affairs, Room No 27, Patiala House, Tilak Marg, New
Delhi 110001.

2. The Regional Passport Officer, Hyderabad Regional Passport Office, D. No. 8-2-215 to 219 Near Prashant Theatre, Kummarguda, Secunderabad-500003.
3. One CC to SRI. SYEDA ARSHIYA MAHJABEEN, Advocate [OPUC]
4. One CC to SRI N. BHUJANGA RAO, Deputy Solicitor General of India [OPUC]
5. Two CD Copies

DAN



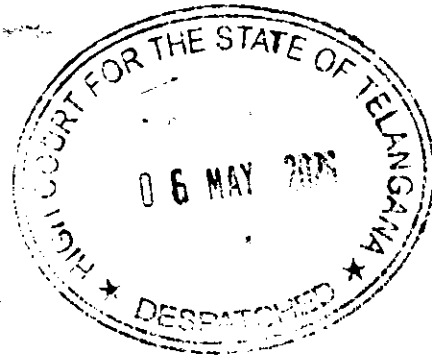
HIGH COURT

CC TODAY

DATED: 05/05/2026

ORDER

WP.No.5343 of 2026



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(Handwritten signature and date)
06/05/26