



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD)No.18427 of 2015andM.P(MD)No.1 of 2015

Ramasamy Muthu Veerakalai

..Petitioner

Vs

The Regional Passport Officer,
O/o.The Regional Passport Office,
Claset Plaza, Melakkal Main Road,
Kochadai, Madurai-16.

...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 consider the application of the petitioner for re-issuance of passport by revoking the impugned order of impounding of passport No.K9955771, dated 13.04.2015.

For Petitioner :Mr.N.S.Ponnaiah

For Respondent :Mr.S.Jeyasingh

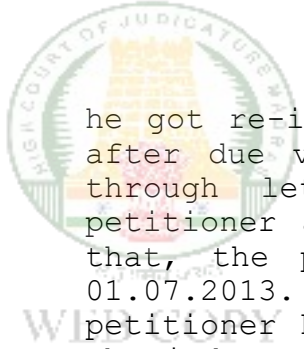
ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondent to consider the application of the petitioner for re-issuance of passport No.K9955771, dated 13.04.2015.

2. In the affidavit it has been averred that the petitioner is a practising Advocate at District Court, Ramanathapuram. During the year 1972, the petitioner was selected as one of the representatives to participate in the 50th Anniversary Celebration of the great leader of Soviet Russia Lenin. For that, the passport officer attached to Madras Office was pleased to issue a passport to the petitioner in J.363446, dated 29.06.1972. The petitioner went to Tashkent and participated in the above said celebration. Subsequently, the petitioner's passport was renewed. The petitioner also went to Sri Lanka and took part in the celebration of the Sri Lankan's Workers Conference held in December, 1990 as a representative of All India Trade Union Congress in India. At that time, the passport number of the petitioner was T.676145. Subsequently, the petitioner had been issued with passport on three times to go abroad as follows:

- a) Passport No.Q.181933 by Tiruchy Office dt. 10.09.1993.
- b) Passport No.E5025824 by Tiruchy Passport Office, dt. 18.04.2003 and at present,
- c) Passport No.K995577 by Madurai Passport Office, dated 15.03.2013.

<https://hservices.ecourts.gov.in/hservices/new>, the petitioner wants to meet his eldest son Karthikeyan Ramasamy and his family members, who are residing at Canada. Hence, he applied for renewal of his passport through his agent through internet. Thereafter,



he got re-issuance of his passport bearing No.K9955771, dated 15.03.2013 after due verification by the respondent. Thereafter, the respondent through letter, dated 24.06.2013, called for explanation from the petitioner about the pending criminal case against the petitioner. For that, the petitioner has also given explanation as per letter, dated 01.07.2013. Since, there was no reply from the respondent, the petitioner has sent another letter, dated 03.02.2014 enclosing a copy of the judgment, dated 30.10.2013 passed in S.T.C.No.842 of 2011 on the file of the learned Judicial Magistrate Court No.I, Ramanathapuram. But, in spite of the said explanation, the respondent has passed the impugned order, dated 13.04.2015 impounding the passport of the petitioner. Thereafter, the petitioner had sent several letters to the respondent for re-issuance of passport. But, his entire efforts ended in futile. Hence, he has come forward with the present Writ Petition for the above stated relief.

3. The learned counsel for the petitioner submitted that non-mentioning of the pending criminal case is neither willful nor wanton and the petitioner has applied for renewal of licence through his agent. Moreover, the petitioner has got acquitted in S.T.C.No.842 of 2011 on the file of the learned Judicial Magistrate No.I, Ramanathapuram and hence, a direction may be issued to the respondent for re-issuance of passport by considering the letter of the petitioner, dated 19.09.2015.

4. Heard the submissions made on either side and perused the materials available on record.

5. Considering the submissions made by the learned counsel for the petitioner, without going into the merits of averments made in the Writ Petition, this Court directs the respondent to consider the case of the petitioner based on his letter, dated 19.09.2015 and pass appropriate orders, with regard to re-issuance of passport of the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar.

/True Copy/

Sub Assistant Registrar.

To
The Regional Passport Officer,
O/o.The Regional Passport Office,
Claset Plaza, Melakkal Main Road,
Kochadai, Madurai-16.

+1CC to M/S.N.S. Ponnaiah, Advocate, SR.No.63939
+1CC to M/S.S. Jeyasingh, Advocate, SR.No. 64069.

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30.10.2015