

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.30427 of 2015

E.Gandhan

.. Petitioner

Vs.

The Regional Passport Officer,
Regional Passport Office,
No.158/785, Royala Towers,
No.2 & 3, 4th Floor,
Anna Salai,
Chennai-600 002.

.. Respondent

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus, directing the respondent to issue the passport to the petitioner as per the petitioner's application in file No.MA2061846222313, dated 28.2.2013.

For Petitioner : Mr.R.Rajesh Vivekananthan

For Respondent : Mr.G.Venkatesan

ORDER

Heard. This writ petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, directing the respondent to issue the passport to the petitioner, based on the petitioner's application, in File No.MA2061846222313, dated 28.2.2013.

2 In view of the averments made in the affidavit filed in support of the writ petition and the counter affidavit filed on behalf of the respondent, it is noted that the respondent had not issued a Passport to the petitioner, based on his application, dated 28.2.2013, stating that he is not an Indian Citizen and that he was holding a Srilankan passport. He had also suppressed the fact that he had the Srilankan Passport, in his name. It has also been submitted by the learned counsel, appearing on behalf of the respondent, that in spite of the show cause notice, dated 24.12.2013, having been issued to the petitioner, no documents had been produced by the petitioner, to

support his claim that he is an Indian Citizen. Based on the adverse report received from the Commissioner of Police, Chennai, the respondent had not issued the passport, in favour of the petitioner, as per his request. However, it has been admitted by the learned counsel appearing on behalf of the respondent that no formal order had been passed, rejecting the application of the petitioner, dated 28.2.2013, in File No.MA2061846222313.

3 In such circumstances, this Court finds it appropriate to direct the respondent to pass an order, on the application of the petitioner, dated 28.2.2013, bearing File No.MA2061846222313, within a period of eight weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioner and after conducting a detailed enquiry. The writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

The Regional Passport Officer,
Regional Passport Office,
No.158/785, Royala Towers,
No.2 & 3, 4th Floor,
Anna Salai,
Chennai-600 002.

+1cc to Mr.G.Venkatesan, Advocate Sr.37696
+1cc to Mr.R.Rajesh Vivekandan, Advocate Sr.37724

W.P.No.30427 of 2015

RJ[col]
22/07/2016

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