

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 18.2.2016.

CORAM

THE HON'BLE MR.JUSTICE R.SUBBIAH

W.P.No.34178 of 2015

and

M.P.No.1 of 2015

A.Bala Arumugam

Petitioner

vs.

The Regional Pass Port Officer
Regional Passport Office
Chennai Royala Towers
No.2 & 3 IV Floor Old No.785
New No.158 Anna Salai
Chennai-600 002.

Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for records of the respondent made in his proceedings Letter Ref No.SCN/302861213/15 dated 10.07.2015 and quash the same.

For Petitioner : Mr.R.Shanmugasundaram,
Senior Counsel for
Mr.G.Vivekanandan

For Respondent : Mr.G.Rajagopalan, ASGI
assisted by Mr.G.Venkatesan, CGC.

ORDER

The present writ petition has been filed seeking issuance of a writ of certiorari calling for records of the respondent made in his proceedings Letter Ref No.SCN/302861213/15 dated 10.07.2015 and quash the same.

2. The petitioner had Passport bearing No.Z1758854, issued on 5.2.2009 by the respondent. According to the petitioner, on completion of the sheets attached to the passport, he got the same re-issued on 29.5.2015 in Passport Number Z3220831 thereby it would expire on 28.5.2015, but, to his shock and surprise, he was issued with the impugned notice calling for clarification from the petitioner regarding the adverse police verification report and seeking explanation as to why the passport should not

be impounded and action should not be initiated against him. Aggrieved over the same, the present writ petition has been filed.

3. When the matter is taken up for consideration, the learned Senior Counsel for the petitioner has argued at length, reiterating the averments made in the petition.

4. Per contra, learned Assistant Solicitor General would submit that it is only a show cause notice which is under challenge and the adverse police report reveals that there are two criminal cases pending against the petitioner.

5. Since it is only a show cause notice, the petitioner has to give a reply to the same and appropriate orders would be passed only thereafter. In view of the facts and circumstance of this case, this court directs the petitioner to give his reply within a period of one week from the date of receipt of copy of this order and on receipt of such representation, the respondent is directed to conduct enquiry affording an opportunity of personal hearing to the petitioner and pass appropriate orders on merits and in accordance with law within a period of four weeks thereafter. The writ petition is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ssk.

To

The Regional Pass Port Officer
Regional Passport Office
Chennai Royala Towers
No.2 & 3 IV Floor Old No.785
New No.158 Anna Salai
Chennai-600 002.

+1 cc to Mr.G.Venkatesan Advocate sr.10331
+1 cc to Mr.G.Vivekanandan Advocate sr.10315

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