

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.07.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.21754 of 2016
and
W.M.P.No.18606 of 2016

M.S.Govindarajan

... Petitioner

Vs.

The Regional Passport Officer,
Chennai Rayala Towers,
Nos.2 and 3, 4th Floor,
Old No.785, New No.158,
Anna Salai,
Chennai - 600 002.

.... Respondent

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus directing the respondent to renew the petitioner's passport bearing No.F 3835859.

For Petitioner : Mr.K.A.Ravindran

For Respondent : Mr.Su.Srinivasan,
Asst. Solicitor General of India

O R D E R

The learned counsel appearing for the petitioner would submit that the petitioner is a practicing advocate and he was born on 20.06.1955 at Peikkarumbankottai, Thanjavur District, Tamil Nadu and he was issued with a passport bearing No.R645520 during February 1994, showing the above said Village as place of birth and subsequently, on expiry, he was issued with another passport bearing No.F3835859 with validity period from 27.06.2005 to 26.06.2015 and in the said passport also, his place of birth has been shown as Peikkarumbankottai. The petitioner has applied for renewal by paying the prescribed fee, however, it is not processed for the reason that the petitioner was issued with a passport prior to the passport bearing No.R645520, wherein his place of birth has been shown as Chennai and therefore, he is constrained to approach this Court by filing this writ petition and prays for appropriate orders.

2. Per contra, Mr.Su.Srinivasan, learned Additional Solicitor General of India, who accepts notice on behalf of the respondent would submit that no records are maintained in respect of passport issued prior to the year 1995 but the fact remains that the passport bearing No.R645520, dated 17.02.1994 as well as the passport bearing No. F 3835859 dated 27.06.2005, indicate the place of birth of the petitioner as Peikkarumbankottai and prays for appropriate orders.

3. This Court has carefully considered the rival submissions and also perused the materials placed before it.

4. It is not in serious dispute that in the passport bearing No.R645520, dated 17.02.1994 as well as the passport bearing No.F3835859 dated 27.06.2005, the place of the birth of the petitioner is shown as Peikkarumbankottai. In the absence of any contra document indicating the place of the petitioner at some other place, in the considered opinion of this Court, there cannot be any impediment for grant of passport in favour of the petitioner in the form of renewal, indicating the place of birth as Peikarrumbankottai.

5. In the result, this writ petition is disposed of. The respondent is directed to consider the application submitted by the petitioner dated 16.02.2016, vide On line payment Receipt Reference No.CP42092836 dated 16.02.2016 and Fee Receipt No.MASF 16327675551 dated 18.02.2016, for renewal of the passport in accordance with law in the light of the observations made in this writ petition and pass orders within a period of two weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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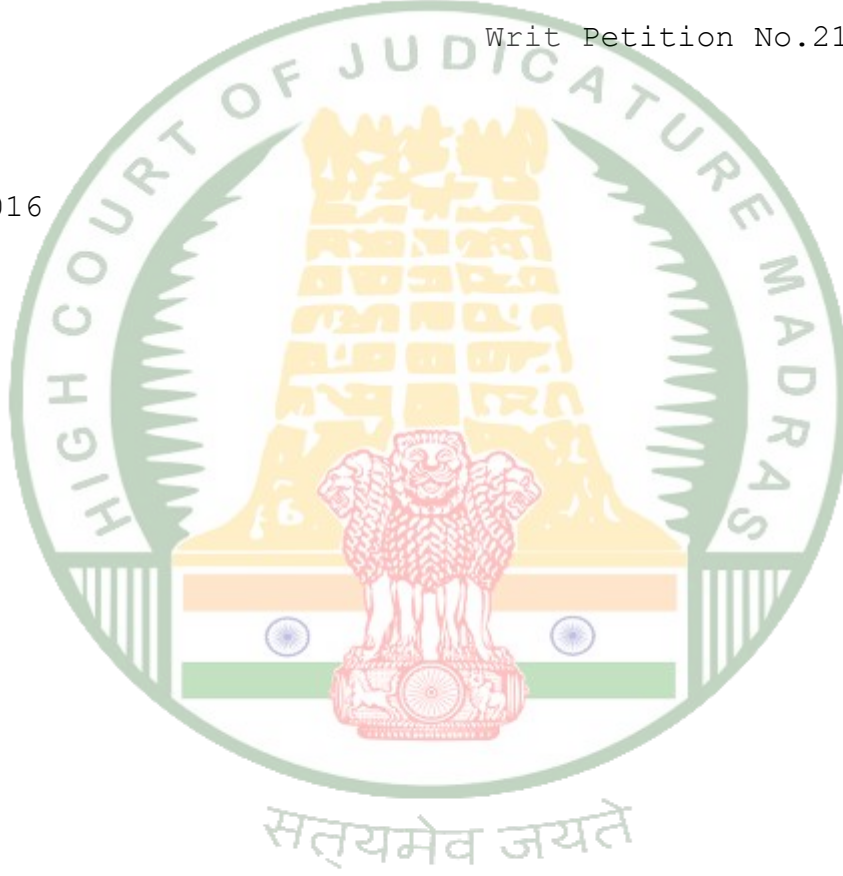
To

The Regional Passport Officer,
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Anna Salai,
Chennai - 600 002.

+1 cc to Mr.K.A.Ravindran Advocate sr.37753
+1 cc to Mr.Su.Srinivasan Advocate sr.37746

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