

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No.29358 of 2016
and
W.M.P.No.25377 of 2016

Janki Devi

... Petitioner

-Vs-

1. State rep.by: Inspector of Police,
CBI/SCB/Chennai
Rajaji Bhawan, Besant Nagar,
Chennai-600 090.

2. The Regional Passport Officer,
Regional Passport Office,
Rayala Towers 2 & 3, IV Floor,
New No.158, Anna Salai, Chennai-2.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the second respondent to issue fresh passport to the petitioner as per Application No.File No.ARN No.16-1006797117 dated 29.07.2016 within a time frame fixed by this Court.

For Petitioner : Mr.P.Solomon Francis

For Respondents : Mr.K.Srinivasan,
Special Public Prosecutor for CBI
for R1

Mr.T.L.Thirumalaisamy,
Central Government Standing Counsel
for R2

ORDER

This writ petition is filed for issuance of a Writ of Mandamus to direct the second respondent to issue fresh passport to the petitioner on the basis of her application in ARN No.16-1006797117 dated 29.07.2016 within a stipulated time frame.

2.When this writ petition was taken up, the learned Special Public Prosecutor appearing for the first respondent as well as the learned Central Government Standing Counsel appearing for the second respondent have submitted that as per customary procedure in the Passport Seva System, the petitioner had

registered online to apply for passport under Tatkal Scheme by which the Application No.16-1006797117 was generated. They further stated that when the petitioner approached the Passport Office on 28.07.2016 to apply for passport under Tatkal Scheme, she was advised to apply for passport under the normal scheme at any Passport Seva Kendra in Chennai, since the CBI authorities had informed this office as regards investigation of the criminal case against the petitioner. They further stated that in the Tatkal Scheme, the verification will not be done as per the normal scheme and since the petitioner herein is under criminal investigation, that cannot be applied to her and hence she has to apply only under the normal regular scheme.

3. In view of the above submission made, the petitioner is directed to apply for fresh passport with the second respondent, under the normal scheme within a period of six weeks from the date of receipt of a copy of this order. On such application being made, the second respondent is directed to consider and pass appropriate orders in respect of issuance of passport, in accordance with law, within a period of six weeks therefrom, if she is otherwise eligible.

4. The writ petition is disposed of accordingly. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

KM
To

1. The Inspector of Police,
CBI/SCB/Chennai
Rajaji Bhawan, Besant Nagar,
Chennai-600 090.
2. The Regional Passport Officer,
Regional Passport Office,
Rayala Towers 2 & 3, IV Floor,
New No.158, Anna Salai, Chennai-2.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.L.Thirumalaisamy, Advocate, S.R.No.61303

+1cc to Mr.P.Solomon Francis, Advocate, S.R.No.61499

W.P.No.29358 of 2016 and

W.M.P.No.25377 of 2016

SKV(CO)

CA(02/12/2016)

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