



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2016

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

Writ Petition (MD) No.22075 of 2015

K.Pandian

... Petitioner

Vs.

The Passport Officer,
Bharathi Ula Veethi,
Race Course Road,
Madurai 625 002.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent herein to consider and pass orders on the petitioners Appln No.A025096/10 dated 8.11.2010 for grant of a fresh passport within a reasonable time as may be fixed by this Court.

For Petitioner	: Mr.B.Muruganandam
For Respondent	: Mr.S.Pillai Manikandan

ORDER

The petitioner has come up with the above writ petition seeking for the issuance of a writ of mandamus to direct the respondent to consider and pass orders on the petitioner's application No.A025096/10 dated 8.11.2010 for grant of a fresh passport within a reasonable time as fixed by this Court.

2.Heard Mr.B.Muruganandam, learned counsel appearing for the petitioner and Mr.S.Pillai Manikandan, learned counsel appearing for the respondent.

3.According to the petitioner, he went to Malaysia in the year 1997 for employment where he lost his passport and returned to India under emergency passport issued by the High Commission of Indian, Kuala Lumpur, Malaysia. Thereafter, in the year 2010, he filed an application for the issuance of fresh passport on 08.11.2010. It is stated that after receipt of the application, the respondent directed him to file an affidavit regarding loss of his passport. Pursuant to the direction, the petitioner has also filed an affidavit. Thereafter, no order has been passed in the application for issuance for fresh passport. Hence, the present writ petition has been filed.

4.The respondent has filed a counter stating that after receipt of his application, a show cause notice was issued to the petitioner to surrender passport at that time only, the petitioner informed the authorities that he lost his earlier passport and



came back to India through emergency certificate issued by the High Commission of Indian, Kuala Lumpur, Malaysia. But the petitioner has failed to produce the same. It is further stated that the matter was referred to High Commission of Indian, Kuala Lumpur, Malaysia for getting clarification whether emergency certificate was issued to the petitioner, which is still pending. It is further stated that by efflux of time, his passport application has been closed by the respondent and it was communicated to the petitioner through a letter dated 27.09.2013.

5. In such view of the matter, the petitioner is directed to submit a fresh application along with relevant documents before the respondent. On receipt of such application, the respondent is directed to consider the same and pass appropriate orders in accordance with the Indian Passport Act, 1967.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To
The Passport Officer,
Bharathi Ula Veethi, Race Course Road, Madurai 625 002.

+1 CC to Mr.B.MURUGANANDAM, Advocate, SR No.66526

+2 CC to Mr.S.PILLAI MONICANTAN, Advocate, SR No.66377

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sms
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