



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
dated : 07.11.2016
CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

Writ Petition(MD) No.18080 of 2016

A.Liyakath Ali

...Petitioner

Vs.

1.The Passport Officer,
The Regional Passport Office,
WB Road,
Tiruchirapalli.

2.The Passport Officer,
The Regional Passport Office,
Madurai.

... Respondents

Prayer : Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent to issue fresh passport to the petitioner, in view of the Application No.MD 1079185088916, dated 03.03.2016, within the period stipulated by this Court by considering the representation given by the petitioner, dated 16.08.2016.

For Petitioner : Mr.N.Sathish Babu
For Respondents : Mr.N.Shanmugaselvan

ORDER

The petitioner filed the writ petition seeking for a direction to the respondents to issue fresh passport.

2.According to the petitioner, he has obtained five passports and thereafter, he surrendered all the passports. Subsequently, somebody obtained a passport in his name, for which, his passport was cancelled. Now, he approached the second respondent and filed a fresh application seeking passport. Since no order has been passed, the present writ petition has been filed.

3.A counter affidavit has been filed by the second respondent, wherein it has been specifically stated at paragraph Nos.10 and 11 as follows:-

"(10) It is submitted that since the petitioner obtained multiple passports from different passport offices in Tamil Nadu with same personal particulars by misrepresenting the information of the previous passports obtained by him, changing of his place of birth and present address, the matter is referred to



Ministry of External Affairs, CPV Division. New Delhi for their further instruction on the matter.

(11) It is submitted that on receipt of report from the Superintendent of Police, Dindigul on the present status of the case in FIR No.441/14 registered by Inspector of Police, Kodaikanal Police Station on the file of Hon'able Judicial Magistrate Court, Kodaikanal, on receipt of routine Online Police verification report from Superintendent of Police, Dindigul and reply from CPV Division, Ministry of External Affairs, New Delhi, his passport application will be processed in accordance with the Indian Passport Act, 1967."

4. In view of the above submission made by the respondents, as the respondents are awaiting report from the Ministry of External Affairs, New Delhi and also report from the Superintendent of Police, Dindigul, regarding the pendency of criminal cases filed against the petitioner and in the above said circumstances, the respondents are directed to consider the petitioner's application after obtaining the reports from the Central Government as well as from the Superintendent of Police, Dindigul, after giving opportunity to the petitioner and pass orders in accordance with law. The said exercise shall be completed within a period of six weeks from the date of receipt of reports from the authorities concerned.

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

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Passport Officer,
The Regional Passport Office,
WB Road, Tiruchirapalli.

2. The Passport Officer,
The Regional Passport Office, Madurai.

+1cc to Mr. N. Sathish Babu, Advocate Sr.No. 66481
+1cc to Mr. N. Shanmuga Selvam, Advocate Sr.No. 66825

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