



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 08.08.2016

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.4479 of 2016

M.Bhuvaneshwari

...Petitioner

Vs

1.The Secretary to Government,
Ministry of External Affairs,
New Delhi.

2.The Passport Officer,
Madurai,
Madurai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to receive the Petitioner's representation, dated 08.02.2016 to correct the place of birth as Rajapalayam instead of Kalavasal in the Petitioner's Passport No.G5994273 based on the certificate issued by the Rajapalayam Municipality.

For Petitioner : Mr.V.Perumal

For Respondents : Mr.D.Saravanan

ORDER

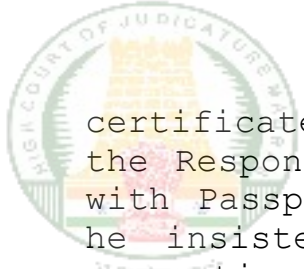
Heard both sides.

2.By consent, the main Writ Petition itself is taken up for final disposal.

3. No counter is filed on behalf of the Respondents.

4. According to the Petitioner, after completing her School, she joined MEPCO Engineering College at Sivakasi and when she was pursuing her engineering studies, Passport Applications were called for by the Institution from all the Students and she applied through an Agency, along with other students. At the time of filling of her application regarding the place of birth, she had given her place of birth as "Kalavasal" instead of "Rajapalayam". Inasmuch she was brought up only at 'Kalavasal' and was not aware of her native place of birth. The said mistake had occurred due to inadvertence and it was not intentional.

5. The grievance of the Petitioner is that she approached the Second Respondent, in person, for correction of the place of birth in her Passport together with the relevant records viz., the birth



certificate issued by Rajapalayam Municipality, on 08.02.2016, and the Respondent without even receiving her representation together with Passport etc., has refused to entertain the same. Further, he insisted for an order being obtained from this Court for correcting the place of birth in her Passport. Hence, she has filed the present Writ Petition before this Court.

6. Considering the fact that the Petitioner's representation, dated 08.02.2016, seeking to correct her place of birth as 'Rajapalayam' instead of 'Kalavasal', in her Passport No.G5994273, is pending on the file of the Second Respondent / Passport Officer, Madurai, at this stage, this Court, without expressing any opinion on the merits and contents of the representation of the Petitioner, dated 08.02.2016, simpliciter, directs the Second Respondent / Passport Officer, Madurai, to look into the representation of the Petitioner, with all seriousness and earnestness, within a period of one week from the date of receipt of a copy of this order. Thereafter, the Second Respondent is directed to pass a reasoned speaking order, on merits, (of course, after providing necessary opportunity to the Petitioner and others concerned, if any, by adhering to the principles of natural justice), within a period of three weeks, thereafter.

7. With the aforesaid observation(s) and direction(s), the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1. The Secretary to Government, Ministry of External Affairs,
New Delhi.

2. The Passport Officer, Madurai, Madurai District.

+1cc to M/s.V.Perumal, Advocate in SR.43007

+1cc to Mr.D.Saravanan, Advocate in SR.43004

W.P(MD)No.4479 of 2016
08.08.2016

mpk

PBK/GSV-PM/SAR-I 12/08/2016 ::2P-5C::