



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2016

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P(MD).No.2795 of 2013 and

M.P(MD).No.1 of 2013

S. Arulvasantharaj

...Petitioner

Vs.

The Passport Officer,
The Government of India,
Ministry of External Affairs,
Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai District 625 002.

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondent from impounding the petitioner's Passport bearing No.E9581184 dated 22.06.2004.

For Petitioner : Mr.T. Lajapathy Roy
For Respondent : Mr.G. Rajaraman, CGSC

ORDER

The Writ Petition has been filed to issue a Writ of Mandamus forbearing the respondent from impounding the petitioner's Passport bearing No.E9581184 dated 22.06.2004.

2. In Para 8 of the counter affidavit the respondent has stated as follows:-

"(8) It is submitted that Smt. Antoviji had again approached the Hon'ble Court and filed a writ petition in W.P(MD).No. 2266 of 2013 before the Hon'ble Madurai Bench of Madras High Court Judgment order dated 06.03.2013 delivered by the Hon'ble Madurai Bench of Madras High Court with direction that the petitioner herein in her capacity as the wife of Arulvasantharaj, intends to put an end to the dispute between the parties in terms of the compromise and she approached the Passport Officer for the relief stated supra. The Passport officer is hence directed to consider the representation dated 20.01.2013 and dispose of the same in the light of the compromise and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. Based on judgment Smt. Antoviji was informed at the time of enquiry on 27.03.2013 that the passport holder Shri. Arulvasantharaj could travel on his passport without any hindrance as the passport was not impounded."



3. Having regard to the facts and circumstances of the case and since it is a matrimonial dispute between the husband and wife and also from the statement made in the counter affidavit, which is extracted above, it is crystal clear that the passport authorities are not likely to impound the passport of the petitioner, hence, this Court is of the view that there is no need to adjudicate the matter further.

4. Recording the undertaking given by the respondent, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

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

To
The Passport Officer,
The Government of India,
Ministry of External Affairs,
Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai District.

+1cc to M/s.T.Lajapathi Roy, Advocate in SR.62007
+1cc to M/s.G.Rajaraman, Advocate in SR.61618

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M.P(MD) .No.1 of 2013
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