

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45196 of 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner to declare the action of the 3rd respondent in not issuing letter about closure of the application filed by the petitioner for issuance of fresh passport, as illegal and arbitrary, and further direct the 3rd respondent to reopen the file to issue fresh passport in lieu of passport bearing No.V15060526 of the petitioner, duly rectifying mistakes by incorporating the particulars mentioned in the affidavit submitted by petitioner before the 3rd respondent.

Heard and perused the material available on record.

The case in brief is that the petitioner surrendered his passport before the 3rd respondent since his place of birth was wrongly mentioned and subsequently, he obtained another passport but the same was lost while traveling. Therefore, the petitioner, after complying all formalities, applied for issuance of fresh passport before the 3rd respondent, but he could not pursue the matter as he was employed at Aligadh. The 3rd respondent issued a letter indicating that the file relating to issuance of passport to the petitioner would be closed and subsequently, the petitioner came to know that the file was closed on 12.09.2016, but the said letter was not communicated to the petitioner.

The grievance of the petitioner is that he is intending to go to Haj, and since there is no communication about closure of his file from the 3rd respondent, he could not able to apply for issuance of fresh passport by submitting the relevant documents, and prayed this Court to

direct the 3rd respondent to supply a copy of the order, dated 12.09.2016.

When a decision is taken on the application filed by the petitioner, the same should be communicated to him, so that the petitioner can seek his remedy in accordance with law. Therefore, considering the facts and circumstances of the case and also the grievance of the petitioner, this Court is inclined to pass the following order:

The 3rd respondent is directed to communicate the petitioner regarding closure of his application for issuance of passport, within a period of one month from the date of receipt of a copy of this order. If the petitioner is aggrieved over the decision taken by the authority concerned, he is at liberty to seek his remedy in accordance with law.

With the above directions, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

December 30, 2016.
KTL

