

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.40184 OF 2015

ORDER:

The grievance of the petitioner is that the Passport bearing No.E-6221597 issued to him in the year 2004 at Hyderabad expired on 11.01.2014 and the petitioner sought to renew his passport and on account of the changed procedure the petitioner has applied for fresh passport on 04.03.2014 duly enclosing all relevant documents, which was acknowledged by the respondent authorities on the same day. Even though much time has been elapsed, for the reasons best known to them the passport authorities have neither reissued the passport nor communicated any response to the petitioner.

When the matter came up for admission on 16.12.2015, the learned Standing Counsel had taken notice on behalf of the respondents.

Today, the learned standing counsel for the Central Government Sri Sujan Kumar has placed on record the instructions received from the respondent authorities vide letter dated 17.12.2015. In the communication issued by the respondent authorities to the learned standing counsel, the reasons for not issuing the passport to the petitioner have been set out and the petitioner has to submit the present address proof and marriage certificate/marriage affidavit. The communication which asserts that the petitioner was notified about the deficiencies and was advised to furnish the same and it is only on account of the non-fulfilment on the part of the petitioner necessary action could not be taken. In support of this contention, respondent authorities

have also enclosed a copy of the system remarks sheet as Annexure-I to the letter dated 17.12.2015.

Having considered the submissions made by the petitioner as well as the respondent, as it is only discrepancy in the earlier address recorded in the old passport to the present address, which may not have much relevance in case of issuance of fresh passport. Issuance of fresh passport cannot be refused as long as petitioner is able to satisfy the respondent authorities that he is residing in a particular place as on the date of application and as on the date of verification by the respective authorities, except in exceptional circumstances where there is a material with the respondent authorities to doubt the genuineness or otherwise of the material information provided to the Passport Officer. In that view of the matter, the application of the petitioner may be scrutinised strictly in accordance with the documents submitted by him and the deficiencies, if any, may be intimated to the petitioner by giving reasonable opportunity to him to meet all the deficiencies if they are otherwise curable.

With the above direction the writ petition is disposed of. The entire exercise shall be completed by the respondent authorities within a period of six weeks from the date of receipt of this order. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, shall also stand closed.

CHALLA KODANDA RAM, J

Dated: 06.01.2016
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