

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2017

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.33421 of 2017

and

WMP No.36910 of 2017

1 Radhika Saravanan

[PETITIONER]

Vs

1 The Regional Passport officer,
O/o. Regional Passport officer,
Rayala Towers, No.144 Anna Salai
Mount Road, Chennai 600 002.

2 The Commissioner of Police.
Greater Chennai. O/o. The commissioner of Police,
E.V.K. Sampath Road, Vepery,
Chennai 600 007.

3 The Inspector of police,
G3 Kilpauk Police Station,
Kilpauk Chennai 10.

4 The Deputy Commissioner of Police,
Interligence Wing,
O/o. The Commissioner of Police,
E.V.K. Sampath Road, Vepery,
Chennai 600 007.

5 The Inspector of police,
Central Crime Branch (Fake Passport Wing),
O/o. The commissioner of Police,
E.V.K. Sampath Road, Vepery,
Chennai 600 007.

[RESPONDENTS]

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified mandamus to call for the records on the file of first respondent pertaining to show cause notice in letter Ref.No.SCN/306432013/17 dated 11.12.2017 issued based on the petitioners application for renewal of passport made in file No.MA2070552221517 dated 14.09.2017 and quash the same as illegal and arbitrary and consequently direct the first respondent to issue passport to the petitioner within time stipulated by this Honble Court.

For Petitioner : Mr.Adinarayana Rao

For Respondents : Mr.A.Murugan for R1
Central Government Counsel
Mr.R.Govindasamy for R2 to R5
Special Government Pleader

ORDER

Mr.A.Murugan, learned Central Government Counsel takes notice for the first respondent. Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents 2 to 5.

2.The petitioner seeks to challenge the proceedings dated 11.12.2017, issued by the first respondent and consequently seeks for a direction to the first respondent to issue passport to the petitioner.

3.Heard both sides.

4.This subject matter of challenge before this Court viz., the impugned communication dated 11.12.2017, is nothing but a show cause notice issued to the petitioner to appear for an enquiry before the said Authority for the purpose of considering her application for issuance of passport. It is alleged in the said show cause notice that the petitioner had suppressed certain material information with regard to the pendency of the criminal case against her in S.C.No.301 of 2017 and therefore, she is directed to furnish proper explanation regarding the circumstances, on which, she had suppressed the said information.

5.Learned counsel for the petitioner submitted that the petitioner has already furnished her explanation on 15.12.2017 itself and therefore, it is for the first respondent to consider and issue passport at the earliest since the petitioner has to attend some court proceedings in Dubai on 28.12.2017.

6.As already stated supra, as the impugned proceedings is only a show cause notice and the petitioner has also given her explanation to the same, I do not think that the petitioner can maintain the present writ petition especially, in the absence of any order passed by the first respondent, in pursuant to such show cause notice. Accordingly, without expressing any view

K.RAVICHADNRABAABU,J.
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on the merits of the claim made by the petitioner, this writ petition is disposed of, only by directing the first respondent to pass orders in pursuant to the impugned show cause notice on or before 26.12.2017. No costs. The connected miscellaneous petition is closed.

21.12.2017

Speaking/Non Speaking
Index : Yes/No
Note: Issue copy on 21.12.2017
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To

- 1 The Regional Passport officer,
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