

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.14258 of 2004

Mrs.R.Umadevi

.. Petitioner

Vs.

1. The Deputy Superintendent of Police,
Theni District, Theni.
2. The Deputy Superintendent of Police,
Palani (P.O), Dindigul.
3. The Inspector,
All Women Police Station,
Theni, Theni District.
4. Thiru.A.Ramaraj ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus to direct the respondents 1 to 3 to impound the Passport No.K277395, dated 04.11.1991 as well as C.D.C.No.BY 56489 of the fourth respondent Thiru.A.Ramaraj.

For Petitioner : M/s.N.Fidelia
For Respondent : Mr.Akhil Akbar Ali,
Govt. Advocate for RR-1 to 3
Mr.P.Rajendran for R-4

ORDER

The petitioner has come forward with this Writ Petition to direct the respondents 1 to 3 to impound the Passport in No.K277395, dated 04.11.1991 as well as C.D.C.No.BY 56489 of the fourth respondent Thiru.A.Ramaraj. It appears that there is a dispute between the husband and wife, being the fourth respondent and the petitioner herein. It is the case of the petitioner-wife that the Passport and CDC issued to the fourth respondent-husband, have to be impounded. The Police, after detailed enquiry, found that there is family dispute between the

parties and they have intervened and advised the parties and on listening such proper advise given by the Police, the petitioner-wife and the fourth respondent-husband have rejoined and they are living happily and that there was an endorsement of the same made by the parties on 27.05.2002, which is evident from the counter affidavit filed by the third respondent. However, the relief sought for in this Writ Petition cannot be granted, as the respondents 1 to 3 have no locus-standi to impound the Passport and the CDC and it is the duty of the Passport Officer to verify and act accordingly. Hence, the Writ Petition is dismissed. Since the Passport authority has not been impleaded as party to this Writ Petition, the Writ Petition is also dismissed on the ground of non-joinder of proper and necessary party. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

cs
Copy to

1. The Deputy Superintendent of Police,
Theni District, Theni.
2. The Deputy Superintendent of Police,
Palani (P.O), Dindigul.
3. The Inspector of Police,
All Women Police Station,
Theni, Theni District.

+ 1 cc to the Government Pleader SR.48815

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