

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.10.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1067 of 2018

Dinesh K Jain

.. Petitioner

vs

1. Regional Passport Officer,
Regional Passport Office,
No.144, Anna Salai, Mount Road,
Chintadripet, Chennai - 600 002.

2. Deputy Passport Officer,
Passport Seva Kendra,
Navins Presidium,
No.103, Nelson Manickam Road,
Aminjikarai, Chennai - 600 029.

3. Mrs.Sundar Bai

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1 & 2 respondents to consider the merits of the facts of the case and consequently direct the 1st respondent not to withheld the petitioner's application by raising the same issue again in the issuance of passport in his current application bearing Reference File No.MA2060592535917 Dt.29.09.2017 and to proceed further in issuance of his passport at the earliest.

For Petitioner : Mr.Karthikeyan Sekar
For Respondents : Mr.T.L.ThirumalaIsamy
Central Government Standing Counsel
for R1 & R2
Mrs.Yaminichandrasedkar for R3

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents 1 & 2 to consider the merits of the facts of the case and consequently, direct the 1st respondent not to withheld the petitioner's application by raising the same issue again in the issuance of passport in his

current application bearing Reference File No.MA2060592535917
Dt.29.09.2017.

2. The learned counsel for the respondents states that the writ petitioner has to submit certain documents including valid Adoption Deed and the Gazette notification in relation to the change of name. It is needless to mention that the person on submitting application seeking passport has to enclose all the relevant documents, whatever is required, as per the terms and conditions stipulated in the application as well as under the provisions of the Passports Act, 1967 and Rules. Only if a person complied with the requirements contemplated under the provisions of law, can claim passport from the competent authorities.

3. This being the principles to be followed, the writ petitioner is at liberty to submit all the requisite documents to the respondents and in the event of receiving all such requisite documents from the writ petitioner, the case of the writ petitioner shall be considered on merits and in accordance with law and by following the procedures contemplated.

4. With these observations, the present writ petition stands disposed of. However there shall be no order as to costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Regional Passport Officer,
Regional Passport Office,
No.144, Anna Salai, Mount Road,
Chintadripet, Chennai - 600 002.

2. Deputy Passport Officer,
Passport Seva Kendra,
Navins Presidium,
No.103, Nelson Manickam Road,
Aminjikarai, Chennai - 600 029.

+2cc to Mr.Karthikeyan Sekar, Advocate, S.R.No.74021

+1cc to Mr.T.L.Thirumalaisamy, Advocate, S.R.No.74086

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GSP(12/11/2018)