

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:24.01.2018
CORAM

THE HONOURABLE MR.JUSTICE RAVICHANDRABAABU

W.P.No.1424 of 2018

P.Venkateswaran
Son of Sri.Parasuraman Iyer

... Petitioner

vs.

1. Union of India
represented by the Secretary to Government
Ministry of External Affairs
E Block, Central Secretariat,
New Delhi - 110 001.
2. The Joint Secretary to Governments
Branch Secretariat
Ministry of External Affairs
Government of India
No.68, College Road,
E.V.K.Sampath Maligai, 7th Floor,
Nungambakkam, Chennai-600 034.
3. The Regional Passport Officer
Chennai Region
Old No.785, New No.158, Royola Towers
4th Floor, Nos.2 & 3, Anna Salai, Mount Road,
Chennai-600 002.
4. Secretary to Government
Ministry of Corporate Affairs
Government of India
A Wing, Shastri Bhavan,
Rajendra Prasad Road,
New Delhi - 110 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to rectify the errors that have occasioned in the passport issued to the petitioner bearing Passport No.Z3371054 by correcting the name of the father of the petitioner as "PARASURAMAN IYER" instead of "Parameswaran" and also the date of birth of the petitioner as "12.02.1951" instead of "2.12.1951" and issue the corrected passport to the petitioner.

For Petitioner : Mr.V.G.Suresh Kumar
For Respondents : Mr.D.Ramesh Kumar
Central Government Standing Counsel

O R D E R

Mr.D.Ramesh Kumar, learned Central Government Standing Counsel takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents 1 to 3 to rectify the errors occasioned in the passport issued to the petitioner bearing Passport No.Z3371054, by correcting the name of the father of the petitioner as "PARASURAMAN IYER" instead of "Parameswaran" and also the date of birth of the petitioner as "12.02.1951" instead of "2.12.1951" and issue the corrected passport to the petitioner.

3. Heard both sides.

4. It is seen that though such mandamus is sought for before this Court, admittedly, the petitioner has not given any written request or application or representation before the respondents 1 to 3 seeking to rectify the so called error said to have occasioned in the passport issued to the petitioner. Without making any such written request, the petitioner has straight away filed the present writ petition, which, in my considered view, is not maintainable in the absence of any demand made before the authorities concerned. Needless to say that mandamus cannot be issued, unless there is a demand already made and not considered by the authorities.

5. Therefore, this writ petition is disposed of, by granting liberty to the petitioner to approach the respondents and give a written request / representation / application, ventilating his grievance along with supporting materials. If any such request is made, it is for the authorities to consider the same on its own merits and in accordance with law. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government
Union of India
Ministry of External Affairs
E Block, Central Secretariat,
New Delhi - 110 001.
 2. The Joint Secretary to Governments
Branch Secretariat
Ministry of External Affairs
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Government of India
A Wing, Shastri Bhavan,
Rajendra Prasad Road,
New Delhi - 110 001.
- +1cc to Mr.V.G.Suresh Kumar, Advocate, S.R.No.5305
+1cc to Mr.D.Ramesh Kumar, Advocate, S.R.No.5649

W.P.No.1424 of 2018

KAN(CO)
CS/12/02/18

सत्यमेव जयते

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