

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.08.2018
CORAM:

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.18580 of 2018
and
W.M.P.No.21927 of 2018

Shabu Kottoli Parambil Adimaikutty shab ... Petitioner

Vs

The Regional Passport Officer,
Regional Passport Office,
4th Floor, Chennai Rayala Towers No.2 and 3
Old No.785, New No.158, Anna Salai,
Chennai- 600 002. Respondent

Prayer: This Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondent to drop any further proceedings communication dated 01.06.2018 in Letter Ref.No.SCN/307182887/18 thereby consequently permitting the petitioner to travel abroad using the passport bearing No.Z 4461563.

For petitioner : Mr. Haja Mohideen Gisthi

For respondent : Mr.S.Sathis Rajan

O R D E R

This writ petition has been filed seeking a direction to the respondent to drop further proceedings pursuant to the communication dated 01.06.2018 and consequently permit the petitioner to travel abroad using his passport bearing No.Z4461563.

2.The case of the petitioner is that since the pages in his earlier passpart bearing No.Z1761370 dated 21.10.2009 were exhausted, he applied for a new passport through a travel agent, who, without ascertaining and getting proper instructions from the petitioner about the pendency of a criminal case against him in FIR No.1215 of 2017 on the file of the Sub-Inspector of Police, St.Thomas Mount Police Station, Chennai, made on-line application. The petitioner also did not aware of the said omission. According to the petitioner, he obtained a new Passport bearing No.Z4461563 from the respondent on 16.03.2018,

however, by a communication dated 01.06.2018, he was directed to explain about non-disclosure of the pendency of the criminal case against him and submit a fresh application with correct details. On receipt of the same, he submitted a detailed explanation on 10.06.2018. Though the said explanation was received by the respondent, no enquiry was conducted till date. Hence, the petitioner has approached this Court with the present writ petition for the aforesaid relief.

3.Mr.S.Sathis Rajan, learned counsel appearing for the respondent, on instructions, submitted that the respondent authorities have only sent a notice, calling upon the petitioner to explain with regard to non-disclosure of the information relating to pendency of the criminal case against him and they have not curtailed the right of the petitioner to go abroad.

4.Recording the submission so made by the learned counsel for the respondent, this Court directs the petitioner to submit the additional informations as sought by the respondent authorities within a period of two weeks from the date of receipt of a copy of this order. On such submission, the respondent authorities shall consider the same and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible.

5.Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

The Regional Passport Officer,
Regional Passport Office,
4th Floor, Chennai Rayala Towers No.2 and 3
Old No.785, New No.158, Anna Salai,
Chennai- 600 002.

+1cc to Mr.S.Haja Mohideen Gisthi, Advocate, S.R.No.56215
+1cc to Mr.S.Sathish Rajan, Advocate, S.R.No.55974

W.P.No.18580 of 2018

KAN(CO)
GSP(20/08/2018)