



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.26155 of 2018

Dr.Madhavi Namboodiri

... Petitioner

Vs

1.The Regional Passport Officer,
Royala Towers,
Nos.2 and 3 IV Floor,
Old No.785, New No.158,
Anna Salai, Chennai - 600 002

2. The Regional Passport Officer,
Passport Seva Kendra
No.1, Bhanumathi Ramakrishna Road,
Saligramam, Chennai - 600 093.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's application dated 05.06.2018 in File No. MA 1071239466918 on the file of the 2nd respondent and to reissue normal passport.

For Petitioner : Dr. G.Krishnamurthy
For Respondents : Mr.V.Ashok Kumar
ACGSE

O R D E R

The petitioner has come up with this writ petition to direct the 2nd respondent to consider her representation dated 05.06.2016 and to reissue normal passport.

2. According to the petitioner, she is an Ayurvedic Doctor and Member of Tamilnadu Board of Indian Medicine from 19.07.2014 and her husband started a firm floating golden coin scheme. Further, the petitioner's husband was arrested with reference to the case registered with reference to Crime No.454 of 2008 for offences under Sections 406, 420, 120, 341, 323, 506(i) r/w Sections 4, 5 and 6 of the Prices, Chits and Money Circulations Scheme [Bouncing Act 1973]. Consequently, petitioner was also arrested on the allegation that she earned commission of



Rs.50,00,000/- by enrolling members. Subsequently, the learned V Metropolitan Magistrate, Egmore released the petitioner on bail, since her name does not find place in the FIR. The petitioner was already issued with Passport and since the same expires on 03.01.2018, she applied for renewal of passport through online application. However the 2nd respondent conducted an interview and kept the same pending by informing that the criminal case is pending. Hence this writ petition.

3. The learned counsel for the petitioner submitted that since the petitioner has to pursue her further studies in Ayurveda, she should have a passport with valid date. She would further submit that the 2nd respondent without passing any orders has kept the application of the petitioner pending. Left with no other option, the petitioner is before this Court.

4. The learned standing counsel for the respondents by referring to the Notification issued by the Ministry of External Affairs fairly submitted that the authorities are now inclined to consider the claim of the petitioner for issuance of passport for a limited period.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to pass appropriate orders for issuance of passport to the petitioner, in accordance with law, within a period of four weeks from the date of receipt of copy of this order.

6. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssd

To

1.The Regional Passport Officer,
Royala Towers,
Nos.2 and 3 IV Floor,
Old No.785, New No.158,
Anna Salai, Chennai - 600 002



2. The Regional Passport Officer,
Passport Seva Kendra
No.1, Bhanumathi Ramakrishna Road,
Saligramam, Chennai - 600 093.

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+1cc to Mr.V.Ashok Kumar, Advocate sr.no.75805
+1cc to Mr.S.L.Venkatesan, Advocate sr.no.75178

W.P.No.26155 of 2018

vd(co)
nr 30/11/2018