



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P. (MD) No.9341 of 2018

WEB COPY

A.Saji

... Petitioner

vs.

The Regional Passport Officer,
Bharathi Ulla Veethi,
Race course road,
Madurai- 625002

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 02.03.2018 and consequently direct the respondent to reopen the petitioner's File No.MD2079440918316 and reissue the petitioner's passport after correcting his date of birth as 02.10.1983 and the petitioner's mother name as Suseela within the time stipulated by this Court.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents: Mr.V.Kathirvelu,

Additional Solicitor General

Assisted by K.R.Laxman

O R D E R

Mr..K.R.Laxman, learned counsel, takes notice for the respondent.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 02.03.2018 seeking to reopen the petitioner's File No.MD2079440918316 and reissue the petitioner's passport after correcting his date of birth as 02.10.1983 and the petitioner's mother name as Suseela, has not been considered by the respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to a dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers



conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's representation dated 02.03.2018 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the respondents and any other persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/

Assistant Registrar(W)

/True copy/

Sub Assistant Registrar

To

The Regional Passport Officer,
Bharathi Ulla Veethi,
Race course road,
Madurai- 625002

+1cc to Mr.M.R.SRINIVASAN, Advocate, SR.No. 63678

W.P. (MD) No.9341 of 2018
25.04.2018

AAV

KK/SV MMS/SAR-2/16.05.2018/2P-3C