



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.17319 of 2018

Kumarenkarupiah

... Petitioner

vs.

1.The Passport Officer
Madurai Region
Kochadai, Madurai-625002

2.The Superintendent of Police
Madurai District, Madurai

3.The Inspector of Police
District Crime Branch
Madurai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus direct the first respondent to consider the application dated 13.09.2017 in consonance with the oral explanation dated 13.09.2017 in person, consequently direct the first respondent to issue fresh passport in accordance with the passport act 1967 within a stipulated time.

For Petitioner : Mr.K.K.Maheshraja

For Respondents : Mr.V.Raghaventhree

Central Government Standing Counsel for R1

Mr.N.Shanmugaselvam

Additional Government Pleader for R2 & R3

O R D E R

Mr.V.Raghaventhree, learned Central Government Standing Counsel, takes notice for the first respondent and Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents 2 and 3.

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 application dated 13.09.2017 seeking for issuance of fresh Passport, has not been considered by the respondents 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 application made by the petitioner. It is needless to point out that whenever an application 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



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 application within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's application dated 13.09.2017 on its own merits and take further action in accordance with law, within a period of six 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 persons who may be interested in the subject matter.

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

Sd/
Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar(CS-I)

To

- 1.The Passport Officer,
Madurai Region,
Kochadai, Madurai-625002.
- 2.The Superintendent of Police,
Madurai District, Madurai.
- 3.The Inspector of Police,
District Crime Branch,
Madurai District.

+1cc to M/S.S.RAGAVENTHRE, Advocate, SR.No. 77603
+1cc to Mr.K.K.MAHESHRAJA, Advocate, SR.No. 76884

W.P. (MD) No.17319 of 2018
03.08.2018

KRK
KK/RP/SAR-1/04.09.2018/2P-6C