



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.16798 of 2018

M.Gnanasekaran

... Petitioner

-Vs-

1. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Street, Race Course Road,
Madurai, Tamil Nadu 625 002.

2. The Superintending Enquiry Officer,
Regional Passport Office Madurai,
Bharathi Ula Street, Race Course Road,
Madurai, Tamil Nadu 625 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the application of the petitioner for issuance of passport (ECNR) in application No.MD 1071313329318 within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondents : Mr.N.Shanmuga Selvam

Central Government Standing Counsel

ORDER

Heard Mr.S.Louis, learned counsel appearing for the petitioner and Mr.N.Shanmuga Selvam, learned Central Government Standing Counsel, who takes notice on behalf of the respondents.

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 03.07.2018 seeking issuance of passport (ECNR) in application No.MD 1071313329318, 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 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 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 first respondent to consider the petitioner's representation dated 03.07.2018, on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Street, Race Course Road,
Madurai, Tamil Nadu 625 002.
2. The Superintending Enquiry Officer,
Regional Passport Office Madurai,
Bharathi Ula Street, Race Course Road,
Madurai, Tamil Nadu 625 002.

+1CC to Mr.N.Shanmuga Selvam, Advocate, SR.No. 76279
+1CC to Mr.S.Louis, Advocate, SR.No. 75882

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30.07.2018

SM
ES/SKN.RSK/SAR 4/10.08.2018/2P/5C