

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.4572 of 2019

and

W.M.P.No.5162 of 2019

E.Jayaseelan

...Petitioner

Vs.

1. The Regional Passport Officer,
Regional Passport Office,
Chennai Royala Towers,
No.2 & 3, IV Floor,
Old No.785, New No.158,
Annasalai,
Chennai - 600 002.

2. The Inspector of Police,
Melmaruvathur Police Station,
Melmaruvathur,
Kanchipuram District.

....Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings passed by the 1st respondent in Reference Enquiry Feed Back Form dated 17.09.2018 and quash the same in respect of the reasons for the case pending and direct the 1st respondent to issue passport in the name of petitioner in pursuant to the file No.MA3061165437718 dated 08.05.2018 within the time frame fixed by this Court.

For Petitioner : Mr.V.R.Kamalanathan

For Respondents : Mr.Aditya Reddy,
Standing Counsel for R1
Mr.V.Prabhu,
Government Advocate for R2

O R D E R

The petitioner is aggrieved against the proceedings of the 1st respondent dated 17.09.2018, wherein and whereby, it was informed that the petitioner's request for issuance of passport

is pending due to the reason that a case is pending against the petitioner.

2. According to the petitioner, there is no criminal case pending against him. However, it is seen that when a clarification report was issued to the petitioner on 04.06.2018 to furnish proper explanation regarding the circumstances, under which, he has suppressed the material information in his passport application, the explanation said to have been given by the petitioner dated 31.08.2018 has not come to the notice of the 1st respondent. Therefore, the learned counsel for the first respondent submitted that if the petitioner gives his explanation, the same will be considered without loss of further time.

3. Accordingly, without expressing any view on the merits of the claim made by the petitioner, this Writ Petition is disposed of by directing the petitioner to give explanation to the notice for clarification dated 04.06.2018 within a period of seven days from the date of receipt of a copy of this order. On receipt of such explanation, the 1st respondent shall consider the explanation of the petitioner and pass orders on merits and in accordance with law within a period of two weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

vsi
To

1. The Regional Passport Officer,
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Old No.785, New No.158,
Annasalai,
Chennai - 600 002.

2. The Inspector of Police,
Melmaruvathur Police Station,
Melmaruvathur,
Kanchipuram District.

+1cc to Mr.V.R.Kamalanathan, Advocate SR.No.25592

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SSD(CO)
GMY(20/03/2019)