

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 11.12.2019
CORAM
THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN
W.P.No.17926 of 2018

K.Manoharan

.. Petitioner

..Vs..

1.The District Collector
Collector Office at Chengleput,
Kancheepuram District.

2.The Regional Manager
Regional Passport Office,
Sasthri Bhavan,
Chennai - 600 034.

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to return of the petitioner's Passport No.R 7299474 to hand over the petitioner within a time frame as fixed by this Hon'ble Court for the petitioner's urgent visit to Sri Lanka to meet his old aged mother with Auyurvedic Medicines.

For Petitioner : Ms.Punitha Devakumar

For R1 : Mrs.P.Rajalakshmi,
Additional Government Pleader.

For R2 : Mr.Madhanagopal Rao,
Senior Panel Counsel.

O R D E R

This Writ Petition has been filed in the nature of Writ of Mandamus, seeking return of the Passport No.R 7299474 within a fixed time period, so that the petitioner could visit Srilanka to meet his old aged mother who according to the petitioner is suffering from sickness.

2. Mrs. P.Rajalakshmi, learned Additional Government Pleader takes notice for R1 and Mr.Madhanagopal Rao, learned Senior Panel Counsel takes notice for R2.

3. Heard learned counsel for the petitioner and learned counsel for the respondents.

4. The petitioner claims that he is an origin of Sri Lankan-Indian Tamil in Malayagam Tamils. He was born on 23.07.1970 at Thalawakolla at Nuveralia District at Srilanka. He

came to India in the year 1982 along with his Uncle at Rameswaram in Tamil Nadu. He has been staying in Kumbakonam. He got married in India and also he has three daughters. He had also obtained a Passport, Ration Card, Pan Card, Driving License, Adhar Card, Election Identity Card and Bank Passbook. It is stated that he has lost his Passport on 14.09.2017 and on giving complaint he recovered the same. Then, in January 2018 he went to Srilanka and he returned to India. On 03.03.2018, again he planned to visit Srilanka to see his mother who is suffering from sickness. At that time, in the Airport, the Bureau of Immigration Officials seized his Passport and did not permit him to go again to Srilanka stating that he is a Srilankan Nation and he obtained the Indian Passport illegally. The petitioner seeks for return of the Passport.

5. Petitioner has to give a detailed representation once again to the 2nd respondent on or before 27.12.2019 and on receipt of such representation, the 2nd respondent is directed to pass a detailed order after enquiring the petitioner and any Official if required, on or before 24.01.2020.

6. With the above observations, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

smv

To

1.The District Collector
Collector Office at Chengleput,
Kancheepuram District.

2.The Regional Manager
Regional Passport Office,
Sasthri Bhavan, Chennai - 600 034.

+1cc to Mr.Punitha Devakumar, Advocate, SR.No.3181.

W.P.No.17926 of 2018

NR(CO)
CSR: 23/01/2020