

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2019

CORAM

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.25868 of 2014

D.Babu

..Petitioner

Vs.

The State by;

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The Inspector of Police,
D6, Pothattur pet Police Station,
Pallippet Taluk,
Thiruvallur Dist.

3.The Passport Officer,
D.No.08-02-215 to 219,
Adjacent to Prasanth Theatre,
Kummaraguda,
Secunderabad-500 003,
Andra Pradesh.

4.The Passport Officer,
D.No.19-4-9, R101 to 105,
Prince Avenue,
Annamayamarg,
Tirupathi - 517 501,
Andra Pradesh

5.P.Narayana Naidu

..Respondents

PRAYER: This Petition is filed under Article 226 of Constitution of India to issue a writ of mandamus directing the fourth respondent and pass to consider my representation dated 19.08.2014 in respect of issuing passport in wide file No.HY5067177578513, Passport No:L4700420 Date of Birth 10.06.1991 has been despatched on 04.09.2013 via speed post tracking number EN6076830191 N.

For petitioner : Mr.C.Chockalingam

For R1 & R2 : Mr.V.Shanmuga Sundar,
Special Government Pleader

For R3 & R4 : Mr.J.Madanagopal Rao, CGSC

For R5 : Mr. P.Manikannan

ORDER

According to the petitioner, the petitioner's wife left India by getting passport and visa in fraudulent manner from the third respondent, by suppressing the fact the there was a marriage was solemnized between the petitioner and P.Deepa Choudri. Hence, the petitioner made a representation dated 19.08.2014 to the third respondent which is still pending and no action has been taken for issuance of illegal Passport to the petitioner's wife. Therefore, the petitioner filed the present writ petition before this Court.

2. The learned counsel appearing for the third and fourth respondents would submit that the petitioner's representation will be considered in accordance with law and also requested this Court to direct the petitioner to furnish a copy of his representation to the respondents 3 and 4.

3. The learned counsel appearing for the fifth respondent requested this Court, to give an opportunity to the fifth respondent, at the time of enquiry conducted by the fourth respondent.

4. It is seen that the writ petition is of the year 2014. Though several opportunities given to the respondents to file their counter, no counter has been filed, till date.

5. By recording the aforesaid submissions of the parties concerned, without expressing any opinion and without going into merits of the case, this Court is inclined to direct the fourth respondent to consider the petitioner's representation dated 19.08.2014 and pass orders, on merits and in accordance with law, after providing an opportunity to the fifth respondent, as expeditiously as possible, preferably within a period twelve weeks from the date of receipt of a copy of this Order. It is needless to say that the petitioner has to furnish a copy of his representation dated 19.08.2014 along with a copy of this order to the respondents 3 and 4, within a period of one week from the date of receipt of a copy of this Order.

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

Sd/-
Assistant Registrar (C.O)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Thiruvallur District,
Thiruvallur.
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Annamayamarg,
Tirupathi - 517 501,
Andra Pradesh

+1cc to Mr.P.Manikannan, Advocate, SR.No.37402
+1cc to Mr.C.Chokkalingam, Advocate, SR.No.37621
+1cc to Mr.J.Madanagopal Rao, Advocate, SR.No.37393
+1cc to the Govt.Pleader, Vide Sr.No.38866

W.P.No.25868 of 2014

Kak(24/04/2019)