

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 04.07.2019****CORAM:****THE HONOURABLE MR.JUSTICE R.SURESH KUMAR****W.P. (MD) No.14234 of 2019**

Mangaleswaran Adhimoolam

... Petitioner

Vs.

The Regional Passport Officer,
O/o. Regional Passport Office
Bharathi Ula Veethi
Race Course Road
Madurai

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to issue the passport based upon the petitioner's online application No.MD1072096700919 dated 06.05.2019 pending before the respondent within a time stipulated by this Court.

For Petitioner :Ms.V.Muthumani
For Respondents :Mr.V.Kathirvelu
Assistant Solicitor General
Assisted by
Mr.S.Pon Senthil Kumar

ORDER

The prayer sought for in the writ petition is for a writ of Mandamus to respondent to issue the passport based upon the petitioner's online application No.MD1072096700919 dated 06.05.2019 pending before the respondent.

2.The petitioner is the holder of passport bearing No.H6218904. Since the same expires on 03.08.2019, the petitioner has given the passport with application dated 06.05.2019 to renew the passport with endorsement "Emigration Check Not Required". However, the said passport has not been renewed with the said endorsement and hence, the petitioner has filed the present writ petition.

3.I have heard the learned counsel for the petitioner and the learned Assistant Solicitor General of India.

4.The learned Assistant Solicitor General, on instructions, would submit that, insofar as mere renewal is concerned, the respondent can immediately process the same and issue the renewed passport within the shortest possible time. But, insofar as the



endorsement "Emigration Check Not Required", as required by the petitioner is concerned, the same cannot be given without getting a satisfactory report from the Emigration department.

5. In this context, it is to be noted that, the learned counsel for the petitioner submits that, the passport holder ie., the petitioner has to immediately travel abroad, hence, he seeks the passport at the earliest. Therefore, in order to avoid the delay in getting the renewed passport with an endorsement of "Emigration Check Not Required", the learned counsel, on instructions from the petitioner, would submit that, let the respondent process the application for renewal of passport of the petitioner and issue the renewed passport without an endorsement of "Emigration Check Not Required".

6. In view of the said stand taken by the petitioner, as submitted by the learned counsel for the petitioner, the learned Assistant Solicitor General would submit that, if the petitioner does not insist the endorsement "Emigration Check Not Required", the passport application of the petitioner for renewal would be considered immediately and after satisfying the conditions for renewal, the same would be made at the earliest within a period of one week.

7. In view of the said submission made by both sides and having regard to the fact that, the petitioner through the learned counsel for the petitioner has confined his prayer to get the renewed passport without an endorsement of "Emigration Check Not Required", this Court is inclined to pass the following order:

"that the application of the petitioner dated 06.05.2019 shall be considered by the respondent and the renewed passport shall be given to the petitioner, after completing the formalities within a period of one week from the date of receipt of a copy of this order."

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

Sd/-

Assistant Registrar(AS)

// True Copy //

Sub Assistant Registrar(CS)

RR



To
The Regional Passport Officer,
O/o. Regional Passport Office
Bharathi Ula Veethi
Race Course Road
Madurai.

+1CC TO MR.S.PON SENTHIL KUMARAN, Advocate Sr. No.73635
+1CC TO MR.V.MUTHUMANI, Advocate Sr. No. 73506

W.P. (MD) No.14234 of 2019
04.07.2019

PM(CO)
TR (08.07.2019) 3P 4C