



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.15979 of 2019

A.S.Stalin Sathiah

...Petitioner

-Vs-

The Regional Passport Officer,
O/o.Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road, Madurai-625 002.

...Respondent

Prayer: Writ Petition filed under Article 226 of 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.MD1071497609118 dated 14.09.2018 pending before the respondent within the time stipulated by this Court.

For Petitioner : Mr.V.Muthumani

For Respondent : Mr.P.Vambadian
Central Government Standing Counsel

ORDER

The prayer in this writ petition is for a Writ of Mandamus, to direct the respondent to issue the passport based upon the petitioner's online application No.MD1071497609118 dated 14.09.2018 pending before the respondent within the time stipulated by this Court.

2.Heard Mr.V.Muthumani, learned counsel appearing for the petitioner and Mr.P.Vambadian, learned Central Government Standing Counsel for the respondent.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.The petitioner in order to get a new passport, made an application in application No. MD1071497609118 to the respondent on 14.09.2018. The said application having been processed has not been decided so far. Therefore, the petitioner is before this Court.

5.I have heard Mr. P.Vambadian, learned Central Government Standing Counsel for the respondent, who, on instructions, would



submit that, after having scrutinize the application of the petitioner, an intimation has been issued on 06.07.2019, where the petitioner has been directed to appear within 21 days from the date of receipt of the said notice before the respondent office with all relevant and desired documents. Based on which, a decision would be taken and if the petitioner has not chosen to appear within the said 21 days, pursuant that, the respondent will presume that he has got nothing to say and accordingly, a decision would be taken.

6.By citing the said communication dated 06.07.2019, the learned Central Government Standing Counsel would submit that, the said 21 days is yet to be over, so before which, the petitioner has to appear before the respondent office with the relevant/desired documents. Considering the same, a decision would be taken with regard to the application of the petitioner for issuance of passport.

7.I have considered the said submission made by the learned Central Government Standing Counsel for the respondent and this Court feels that, since the petitioner has been directed to appear within 21 days by the said communication dated 06.07.2019 with the relevant/desired documents, without appearing before the respondent, the petitioner cannot insist that the application should be decided.

8.In that view of the matter, this Court is inclined to dispose of this writ petition with the following directions:-

"(a) that the petitioner shall appear before the respondent office with all relevant/desired documents on or before 31.07.2019.

(b) on such appearance, after hearing the petitioner and after having perused the document to be submitted or produced by the petitioner, the decision on merits can be taken by the respondent office with regard to the issuance of passport to the petitioner. Such a decision shall be taken, within a period of two weeks, thereafter. "

No costs.

Sd/-

Assistant Registrar()

// True Copy //

Sub Assistant Registrar(CS)

rmk



To

The Regional Passport Officer,
O/o.Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road, Madurai-625 002.

+1CC TO MR.V.MUTHUMANI, Advocate Sr. No.76476
+1CC TO MR.P.VAMBADIAN, Advocate Sr. No.76149

Order made in
W.P.(MD)No.15979 of 2019

TR (23.07.2019) 3P 4C