



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **12.09.2019**

CORAM

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THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P. (MD)No.5415 of 2018

Irom Chanu Sharmila

... Petitioner

Vs.

1.The Regional Passport Officer,
Madurai Passport Seva Kendra,
Clarat Plaza,
Melakkal Main Road,
Kotchadai, Madurai - 2.

2.The Inspector of Police,
Kodaikanal Police Station,
Dindigul District,
Dindigul.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to submit the police verification report to the 1st respondent forthwith and consequently direct the 1st respondent to grant passport to the petitioner, within the time that may be stipulated by this Court by considering her application dated 06.10.2017.

For Petitioner : Mr.M.Mahaboob Athiff
for M/s.Ajmal Associates

For R1 : Mr.V.Karthirvelu
Assistant Solicitor General
assisted by Mr.P.Subbiah for R1

For R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)



O R D E R

This Writ Petition has been filed seeking direction to the second respondent to submit his police verification report to the first respondent and on receipt of the same the first respondent to grant passport to the petitioner.

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2. Mr.V.Karthirvelu, Assistant Solicitor General assisted by Mr.P.Subbiah, learned counsel for first respondent represented that the second respondent conducted enquiry and also made physical verification in the address furnished by the petitioner and submitted their report to the first respondent. On the basis of the report submitted by the second respondent, the petitioner was issued passport and the same has been despatched to the address mentioned in the petition. But the petitioner has shifted her residence to Bangalore. Therefore, she requested the authorities to despatch the passport to her new address.

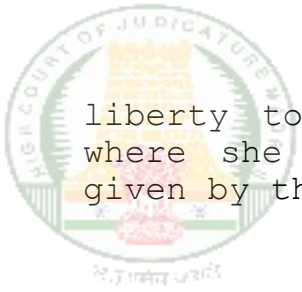
3. The learned counsel for the first respondent filed counter and the relevant portion is extracted here under:

''It is submitted that the petitioner was informed through reply email dt.23.01.2019 that it is not feasible to despatch the passport to her new address in Bangalore as the address given in the application will only be printed in the passport as well as in the dispatch cover. Moreover, a full fledged Regional Passport Office is functioning in Bangalore and so the petitioner was advised to apply afresh for a passport mentioning this application reference number at the nearest Passport Seva Kendra of her present address jurisdiction limit''.

4. Accordingly, the passport cannot be issued to the petitioner to the new address given by the petitioner, since the police verification has been done by the second respondent in the address originally furnished by the petitioner in the application. Admittedly, now the petitioner has shifted her residence to Bangalore and resides there. In fact, the first respondent also advised the petitioner to apply a fresh passport mentioning this application reference number in the passport office situated nearer to her residence.

5. The learned counsel for the petitioner submitted that she is now ready and apply for a fresh passport in the passport office situated nearer to her residence.

6. Considering the facts and circumstance of the case, the prayer sought for in the petition cannot be considered and the petition is dismissed as devoid of merits. The petitioner is at



liberty to apply fresh passport with the nearer passport office where she resides at Bangalore by referring the passport number given by the first respondent in the manner known to law. No costs.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)

vsd

To

- 1.The Regional Passport Officer,
Madurai Passport Seva Kendra,
Clarat Plaza,
Melakkal Main Road,
Kotchadai, Madurai - 2.
- 2.The Inspector of Police,
Kodaikanal Police Station,
Dindigul District,
Dindigul.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court
Madurai

+2 CC to M/s.P.SUBBIAH, Advocate (SR-86427[F] dated 13/09/2019)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-86480[F] dated 13/09/2019)

+1 CC to M/s.S.JEYASINGH, Advocate (SR-86699[F] dated 13/09/2019)

W.P. (MD)No.5415 of 2018

12.09.2019

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