

HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.9665 OF 2019

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the Respondents as illegal and arbitrary in not releasing the petitioner's passport No.H7055703 and consequently to direct the Respondents to release the petitioner's passport No.H7055703 and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.”

2. Heard Sri K.Srinivasa Reddy, learned counsel appearing for the petitioner, Sri K.Lakshman, learned Assistant Solicitor General, appearing for the 1st respondent and Sri K.L.N. Raghavendra Reddy, learned Standing Counsel appearing for the 2nd respondent.

3. The grievance of the petitioner is that his passport bearing No.H7055703, submitted on 28.03.2019, at Passport Seva Kendra, Ameerpet, for rectification of his wife's surname in his passport, is with the respondents and the same is not released.

4. In pursuance of the letter, dated 25.04.2019, addressed by the Regional Passport Office, Hyderabad, to the petitioner, the petitioner is under the impression that but for an FIR in Crime No.250 of 2018 of Narayanaguda Police Station, is pending, wherein his name is shown as Accused No.11, the Passport authority has withheld the pursuing of his passport. A fair reading of the said letter, dated 25.04.2019, do not indicate anything about the same, but on the other hand, the said letter only directs the petitioner to furnish

certain self-attested photo copies of some original documents required.

5. In view of the same, without going into the contradictions and the disputed questions of fact, this Court feels that it is just and necessary that liberty is given to the petitioner to approach the 2nd respondent and file all the relevant documents to satisfy the letter, dated 25.04.2019, and on furnishing of such documents, the 2nd respondent shall consider the case of the petitioner to release the passport, provided the documents fulfil the requirements under the Passport Act, 1967. The entire exercise shall be done in two (02) weeks from the date of receipt of the documents.

6. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any pending, shall stand closed.

T.AMARNATH GOUD, J

Date: 30th April, 2019

Note: Issue C.C. today.

(B/o.)
KL

13

HON'BLE SRI JUSTICE T.AMARNATH GOUD**WRIT PETITION No.9665 OF 2019**Date: 30th April, 2019

KL