

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.21133 of 2019

Masutha Beevi

.. Petitioner

..Vs..

The Passport Officer,
Regional Passport Office,
Chennai Royala Towers No.2 and 3
4th Floor, Old No.78, New No.158,
Anna Salai, Chennai - 600 002.

.. Respondent

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to return the passport bearing No.J9116332 after including the name of the petitioner's husband and other details.

For Petitioner : Mr.S.Arivazhagan

For Respondent : Mr.K.Rajamohan
Central Government Standing Counsel

O R D E R

This writ petition has been filed in the nature of mandamus, directing the respondent to return the passport bearing No.J9116332 after including the name of the petitioner's husband and other details.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner Masutha Beevi is the wife of Ibrahim Syed Yunus. It is stated that she has a Passport bearing No.J9116332. She had given the Passport to the respondent namely Passport Officer, Chennai to include the name of her husband Ibrahim Syed Yunus whom she remarried on 12.02.2017. On verification, the respondent found that there is an another Passport with similar name. Therefore, the Passport of the petitioner was retained by the Passport Officer, Chennai.

4. A complaint was given by the Superintendent of Police, Thanjavur District with regard to impersonation. It is stated that the said officer had enquired the petitioner and as an Enquiry officer, he is bound to pass orders. The order passed by the said official will have to be followed by both petitioner and the respondent. If the official finds that there is no impersonation, then nothing further needs to be done. If the official finds that there is an impersonation, the petitioner will have to work out the remedies in accordance with rules.

5. This Court cannot interfere with such orders, sitting in the writ jurisdiction and cannot give direction either to return the passport or to issue the Passport. The Superintendent of Police, Thanjavur District may have to examine the issue.

6. With the above observation, this writ petition is dismissed by giving liberty to approach the Superintendent of Police, Thanjavur District in accordance with law. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Passport Officer,
Regional Passport Office,
Chennai Royala Towers No.2 and 3
4th Floor, Old No.78, New No.158,
Anna Salai, Chennai - 600 002.

2.The Superintendent of Police,
Thanjavur District,
Thanjavur.

+1cc to Mr.S.Arivazhagan, Advocate sr.1202

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nr 04/02/2020