

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.37324 OF 2015

ORDER:

Heard Sri Venkata Mayur, learned counsel for the petitioner and the learned Assistant Solicitor General for respondent No.1 and the learned Standing counsel for respondents 2 and 3.

This writ petition is filed seeking the following relief :-

“.....WRIT OF MANDAMUS to declaring the inaction of respondent No.3 in issuing passport to the petitioner, as being illegal, arbitrary and violative of Articles 19 and 21 of the Constitution of India and consequently direct the 3rd respondent to forthwith issue passport to the petitioner and be pleased to pass such other order/s.....”

It has been contended by the petitioner that he has applied for passport on 18.09.2015 before the 3rd respondent. Thereafter, his application was processed and on 09.10.2015, though the status of his application was shown as 'granted', the said application is pending with the respondents.

Learned Assistant Solicitor General appearing for the 1st respondent contends that the petitioner while filling up the application form has suppressed certain information and he was issued show cause notice calling for suitable explanation. But the petitioner did not choose to respond to the said show cause notice. Therefore, the respondents have closed the file of the petitioner. He further contends that if the petitioner intends to apply for fresh passport, it is always open for the petitioner to apply for the same by furnishing all the relevant information.

This Court, having considered the rival submissions of the learned counsel appearing for the respective parties, is of the considered view that since the petitioner has not responded to the show cause notice issued by the respondents, the file of the petitioner was closed. However, it is always open for the petitioner to apply for fresh passport and it is needless to say that the respondents shall consider the same and pass appropriate orders in accordance with law.

With the above observations, this writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 06-02-2020
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