



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.09.2021

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

Writ Petition No. 570 of 2021

Sundaram Oyyanakonar

.. Petitioner

Versus

1. The Regional Passport Officer
O/o The Regional Passport Office
Nungambakkam, Shastri Bhawan
Chennai 600 006.

2. State, rep. by Deputy Superintendent of Police
Q Branch, CBCID, Tiruchirapalli
(R2 impleaded vide order dated 25/03/2021
made in WMP No.1889/2021
in W.P.No570/2021)

.. Respondents

Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus directing the respondent to accept fresh application from the petitioner for the issuance of a fresh passport to him, based upon his representation dated 09.11.2020.

For Petitioner : Mr. S. Kumaradevan

For respondents : Mr. V. Ashok Kumar
Central Govt. Standing Counsel

ORDER

This writ petition has been filed seeking to issue a Writ of Mandamus directing the first respondent to accept fresh



application from the petitioner for issuance of a fresh passport to him, based upon his representation dated 09.11.2020.

2. The petitioner submitted an application for obtaining Passport before the first respondent on 29.11.2011. The first respondent vide letter dated 04.06.2012, called for a clarification about the order passed by the Court against the petitioner and also the case pending against him. The petitioner sent a detailed explanation with regard to the queries raised by the first respondent and also undertaken to furnish the orders passed by the competent Court. According to the petitioner, he was wrongly implicated in a case in C.C. No.43 of 1995 and it is pending on the file of the Principal District and Sessions Judge, Trichy for more than 18 years without any progress. In this regard, one of the accused in the above C.C.No.43 of 1995 has filed a writ petition in W.P. No.29590 of 2012 to appoint a Committee to review the said case, however, as of now, no such committee is formed by the Government. Though the petitioner has given his explanations dated 09.07.2012 and 24.06.2013, the first respondent has sent a letters stating that the petitioner's application was closed, for want of explanation received from the petitioner. Therefore, the petitioner made a representation dated 09.11.2020 requesting the first respondent to accept fresh application from the petitioner and to issue fresh Passport to him. As there was no response, the petitioner has come up with this writ petition.

3. The learned counsel appearing for the petitioner submitted a direction may be issued to the first respondent to consider the petitioner's representation dated 09.11.2020 and to pass necessary orders thereof, in accordance with law.

4. The learned Central Government Standing Counsel appearing for the first respondent fairly submitted that the petitioner's representation will be considered by the first respondent, in accordance with law.

5. Considering the limited scope of prayer made in this writ petition, without expressing any opinion on merits and also taking into account the submission made by the learned counsel appearing petitioner as well as the first respondent, this Court directs the first respondent to consider the petitioner's representation dated 09.11.2020 and pass appropriate order on merits, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.



6. With the above direction, this writ petition stands disposed of. No costs.

WEB COPY

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

mst

To

1. The Regional Passport Officer,
O/o The Regional Passport Office,
Nungambakkam, Shastri Bhawan,
Chennai 600 006.
2. The Deputy Superintendent of Police,
Q Branch, CBCID, Tiruchirapalli.

+1cc to Mr.S.Kumara Devan, Advocate, S.R.No.46650

WP No. 570 of 2021

PVS (CO)
SU(05/10/2021)