



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No. 7557 of 2021

R.Sivakumar

..Petitioner

Versus

The Regional Passport Officer
Coimbatore

First Floor, Corporation Commercial Complex
Opposite to Thandumariamman Kovil
Avinashi Road
Coimbatore - 641 018.

..Respondent

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records in Letter Ref.No. SCN/310608975/21, File No.CB1073152711120, dated 13.01.2021 and quash the order issued by the respondent and direct the respondent to reissue the petitioner's Passport vide application File No. CB1073152711120, dated 15.12.2020 and issue a passport with a validity of ten years.

For Petitioner : Mr. A. Tamilarasan

For Respondent : Ms. S.P. Arthi

O R D E R

Seeking to quash the communication dated 13.01.2021 of the respondent and to issue a consequential direction to reissue Passport with a validity of ten years, the petitioner has filed this writ petition.

2. It is seen from the communication dated 13.01.2021, passed by the respondent, which is impugned in this writ petition, that the respondent had obtained an adverse police report against the petitioner to the effect that a case in Crime No. 190 of 2016 has been registered against him in Palladam Police Station. According to the respondent, the petitioner, while submitting application seeking passport, has suppressed this material information. Therefore, by the communication dated 13.01.2021, the respondent has only called upon the petitioner to submit his explanation with respect to the adverse report supported by documentary evidence. It appears that the



petitioner, without submitting any explanation, has filed this writ petition on the ground that mere pendency of first information report is not a bar for issuing passport by the respondent.

WEB COPY

3. Today, when the writ petition is taken up for consideration, the learned counsel for the petitioner fairly submitted that the petitioner may be granted liberty to approach the respondent to submit his explanation to the communication dated 13.01.2021 of the respondent supported by documentary evidence for consideration and in that event, the respondent may be directed to pass appropriate orders on the application submitted by the petitioner seeking to issue passport.

4. The learned counsel appearing for the respondent has no serious objection for granting such relief to the petitioner.

5. In view of the limited relief now sought by the learned counsel for the petitioner, which has also not been seriously opposed on the side of the respondent, this writ petition stands disposed of, granting liberty to the petitioner to submit his explanation to the communication dated 13.01.2021 of the respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of four weeks thereafter. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

av/rsh

To
The Regional Passport Officer,
Coimbatore,
First Floor, Corporation Commercial Complex,
Opposite to ThandumariammanKovil, Avinashi Road,
Coimbatore 641 018.

+lcc to Mr.A.Tamilarasan, Advocate, S.R.No.43326
+lcc to M/s.P.J.Anitha, Advocate, S.R.No.43278

W.P No.7557 of 2021

PL(CO)
RGA(01/10/2021)