

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2021  
CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.NO.10508 OF 2021

V.M.S.Hajee Mohammed

...Petitioner

Vs

The Regional Passport Officer,  
Rayala Towers, 2 &3, 4th Floor,  
158, Anna Salai, Chennai-600 002

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to reissue the passport based on the application dated 20.03.2019 bearing No. ARN19-1002810235 to the petitioner within a time frame to be fixed by this Court.

For Petitioner :Mr.S.Sheik Ismail

For Respondent :Ms.A.Anuradha,

Central Government Standing Counsel

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ORDER

Ms.A.Anuradha, learned Central Government Standing Counsel takes notice for the respondent.

2. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

3.The Writ Petition has been filed seeking a direction to the respondent to re-issue the passport to the petitioner, based on his application dated 20.03.2019, bearing No. ARN19-1002810235 within a time frame to be fixed by this Court.

4. It the case of the petitioner that he was informed that there is a look out circular against him and therefore, the respondent deferred him to travel abroad. The respondent had impounded the passport of the petitioner, vide communication dated 11.07.2012, as he had failed to participate in the enquiry on 26.08.2010 by the Superintendent of Police, Central Bureau of Investigation, Chennai. Aggrieved by the above order impounding his Passport, the petitioner filed a Writ Petition in W.P.No.22721 of 2012 before this Court seeking to quash the said

order dated 11.07.2012. Since the Passport's validity had already expired, the said Writ Petition was dismissed as infructuous, vide order dated 11.02.2019 and it was also observed by this Court that if the petitioner applies for a fresh passport, the respondent will consider the same in accordance with law. Hence, he had applied for re-issuance of the passport, vide application No.ARN:19-1002810235 dated 18.03.2019 before the respondent, as per the directions of this Court. Though the petitioner attended the interview conducted by the respondent on 20.03.2019, the passport has not been issued to him. Therefore, he gave a representation to the respondent on 13.08.2020. Having received the same, the respondent has not considered the same so far. Hence, the petitioner is constrained to file this Writ Petition.

5.Heard both sides and perused the materials available on record.

6.Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the respondent to consider the petitioner's application dated 20.03.2019 seeking for re-issuance of Passport and pass appropriate orders, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

7.With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

सत्यमेव जयते  
Sub Assistant Registrar

srn  
To

The Regional Passport Officer,  
Rayala Towers, 2 & 3, 4th Floor,  
158, Anna Salai, Chennai-600 002

+1cc to Mr.S.Sheik Ismail, Advocate, S.R.No.25515  
+1cc to Ms.A.Anuradha, Advocate, S.R.No.25464

W.P.No.10508 of 2021

SVI (CO)  
CS/09/07/2021