



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NOS.22319 AND 22320 OF 2021

Pazhani Velammal

... Petitioner in
W.P.No.22319 of 2021

Charles

... Petitioner in
W.P.No.22320 of 2021

Versus

The Superintendent,
Regional Passport Office,
1st Floor, Corporation Commercial Complex,
Opp. Thandumariamman Kovil,
Avinashi Road, Coimbatore.

... Respondent in both WP's

PRAYER:-

Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to issue passport to the petitioner by considering the petitioners' respective replies dated 07.10.2021 for the show cause notices issued by the respondent dated 05.10.2021 as expeditious as possible.

For Petitioner : Mr.K.Rameshkumar
in both WP's

For Respondent : Mr.R.Subramanian
in both WP's
Senior Central Government
Standing Counsel

COMMON ORDER

The prayer made in both the writ petitions is to issuance of Mandamus directing the respondent to issue passport to the petitioners by considering their replies dated 07.10.2021 to the show cause notices issued by the respondent dated 05.10.2021.



2. According to the petitioners, they are the husband and wife in relationship and they were issued with passport bearing Nos. H9332018 and H9332017 respectively on 11.04.2011, which were expired on 10.04.2021. So, the petitioner in 22320 of 2021 applied for renewal of passport enclosing all the required documents on 03.08.2021. Whereas in the case of the petitioner in WP.No.22319 of 2021, her passport was found missing and hence, she filed a complaint and obtained lost document report vide LDR.No.PP586202100155 dated 15.07.2021 and thereafter, applied for renewal of passport on 03.08.2021. On receipt of the applications, the respondent issued show cause notices dated 05.10.2021 seeking clarification about the pendency of the criminal cases, on the file of Kullathur Police Station, Thoothukudi District in Crime No.25 of 2019 registered against the petitioners, to which, the petitioners filed their respective replies on 07.10.2021 stating that in the said case, charge sheet was filed and the same culminated in CC No.167/2021 on the file of Judicial Magistrate, Vilathikulam; to quash the said criminal case, the petitioners filed Crl.OP(MD)No.14568 of 2021 which is pending before this court. It is the grievance of the petitioners that they are in urgent need to visit their daughter's home, as she is pregnant and the estimated date for delivery is 15.11.2021. Therefore, they have filed these writ petitions with the aforesaid prayer.

3. Heard both sides and perused the documents enclosed in the typed set of papers.

4. Considering the facts and circumstances of the case, more particularly, that the petitioners are in emergent need to travel abroad, this court, without expressing any opinion on the merits of the case, directs the respondent to consider the petitioners' replies dated 07.10.2021 to the show cause notices dated 05.10.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioners, within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, both the writ petitions stand disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

dhk



To

The Superintendent,
Regional Passport Office,
1st Floor, Corporation Commercial Complex,
Opp. Thandumariamman Kovil,
Avinashi Road, Coimbatore.

W.P.NOS.22319 AND 22320 OF 2021

KSM(CO)
PBS/22/11/2021