



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.8071 of 2021
(Through Video Conference)

WEB COPY

SMS. Selva Ganesan

...Petitioner

Vs.

1) The Passport Officer,
Bharathi Ula Salai,
Madurai.

2) Mythili

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to take action against the 2nd respondent for providing false information while getting renewed Passport in No.P4132775 under and relevant rules based on the representation dated 19.02.2021.

For Petitioner	: Mr.RM.Arun Swaminathan
For R-1	: Mrs.L.Victoria Gowri, Assistant Solicitor General

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the first respondent to take action against the second respondent on the representation made by the petitioner on 19.02.2021 on the ground that the second respondent has provided false information and has renewed the passport.

2.The case of the petitioner is that the subject property originally belonged to the mother of the petitioner and the same was gifted through a registered document, registered as document No.2852 of 2012.

3. The further case of the petitioner is that the second respondent, who has nothing to do with the subject property and who is residing elsewhere, has managed to make an application before the first respondent seeking for the renewal of the passport by showing the subject property as the residential address. According to the petitioner, this attempt was made by the second respondent only with a view to grab the property.

4. It is stated that the passport was also renewed even without properly verifying the address and with the connivance of the officers.



5. The petitioner made a complaint before the first respondent in this regard on 19.02.2021. Since the same did not evoke any response, the present writ petition has been filed before this Court seeking for appropriate directions.

6. Heard Mr.RM.Arun Swaminathan, learned counsel for the petitioner and Mrs.L.Victoria Gowri, learned Assistant Solicitor General for the first respondent.

7. Taking into consideration the facts and circumstances of the case, and without going into the merits of the case, there shall be a direction to the first respondent to consider the representation/complaint made by the petitioner on 19.02.2021 and deal with the same on its own merits and in accordance with law, after affording an opportunity to the petitioner and the second respondent and a decision shall be taken within a period of six (06) weeks from the date of receipt of a copy of this order.

8. The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and a copy of this order.

9. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sts

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To:

The Passport Officer,
Bharathi Ula Salai,
Madurai.

W.P. (MD) No.8071 of 2021

GS(17.05.2021) 2P 2C