



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2021

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.13291 of 2021

WEB COPY

T.Thamodharan

... Petitioner

Vs.

The Passport Officer,
Madurai Region,
Madurai - 625 002.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for entire records pertaining to the notice issued by the respondent vide letter Ref. No:SCN/310606093/21 dated 12.01.2021 to quash the notice for the passport No.U5074699 dated 04.01.2021 within a stipulated period as prescribed by this Court.

For Petitioner : Mr.Rengaraju.P

ORDER

The petitioner challenges a show cause notice issued by the Passport Officer, Madurai Region on 12.01.2021.

2. The petitioner states that he had applied for and was issued a passport in the year 2011. In view of the fact that the passport was due to expire this year, the petitioner applied for a fresh passport. Such passport was issued on 04.01.2021 subject to *post facto* police verification. Upon such verification, it appears that an adverse report was received by the respondent. Pursuant thereto, the impugned show cause notice dated 12.01.2021 has been issued.

3. A challenge to a show cause notice is not ordinarily entertained in the exercise of extraordinary jurisdiction under Article 226 of the Constitution. There are limited exceptions to this Rule. For instance, if the authority issuing such show cause notice *ex facie* lacks jurisdiction, interference may be warranted. Otherwise, the Court would decline to interfere because it is always open to the recipient of such notice to show cause by providing an explanation and indicating as to why the proposed action should not be taken.

4. Accordingly, there is no merit in W.P.(MD).No.13291 of 2021 and the said Writ Petition is dismissed. It is, however, made clear that the petitioner would be entitled to avail of all remedies in



accordance with law in the event that the respondent takes a decision which prejudices the petitioner. There will be no order as to costs.

Sd/-

Assistant Registrar (T&P)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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,
Madurai Region,
Madurai - 625 002.

**W.P (MD) No.13291 of 2021
03.08.2021**

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