



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

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W.P(MD)No.15780 of 2021

S.Anandaraj

... Petitioner

Vs.

1.State represented by its
The Secretary,
Ministry of External Affairs,
South Block,
New Delhi - 110 011.

2.The Regional Passport Officer,
O/o. Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

3.The Inspector of Police,
Vedasandur Police Station,
Dindigul District.

... Respondents

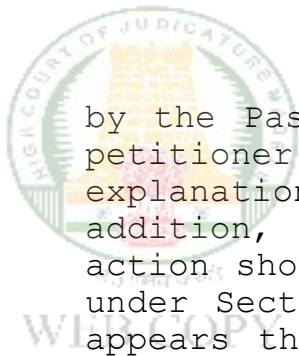
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to reissue the passport bearing Passport No.T3690256 dated 23.10.2019 which was surrendered to the second respondent by the petitioner on 10.12.2019 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.V.Muthumani
For R1 and R2 : M/s.L.Victoria Gowri
For R3 : Mr.P.Subbaraj,
Counsel for State.

ORDER

The petitioner seeks a direction for the re-issuance of the passport bearing Passport No.T3690256.

2. The petitioner states that he had applied for the renewal of his passport under file No.MD1072534403719 dated 23.10.2019. Pursuant thereto, Passport No.T3690256 was issued to him on 23.10.2019. Thereafter, the second respondent sent a communication dated 20.11.2019 to the petitioner informing the petitioner that an adverse police verification report was received



by the Passport Office that a FIR had been registered against the petitioner. Therefore, the petitioner was called upon to provide an explanation and submit a fresh application with correct details. In addition, the petitioner was called upon to show cause as to why action should not be taken to impound the above mentioned passport under Section 10(3)(b) of the Passports Act, 1967. Thereafter, it appears that the petitioner surrendered the passport on 10.12.2019 at the Regional Passport Office, Madurai. The present Writ Petition is filed seeking re-issuance of the passport in the said facts and circumstances.

3. Ms.L.Victoria Gowri, learned Assistant Solicitor General of India, accepts notice on behalf of respondents 1 and 2 and Mr. P.Subbaraj, learned counsel for the State, accepts notice on behalf of the third respondent.

4. The documents on record include the communication dated 20.11.2019 from the Regional Passport Office, Madurai. However, the explanation of the petitioner, as called for by the said communication, is not on record. In the absence of an explanation from the petitioner, it would not be possible for the Passport Office to re-consider the petitioner's request for re-issuance of the passport. Meanwhile, it appears that the petitioner has surrendered his passport as evidenced by the Surrender Certificate issued by the Regional Passport Office.

5. In the above facts and circumstances, W.P.(MD).No.15780 of 2021 is disposed of by permitting the petitioner to submit an explanation as called for by the communication dated 20.11.2019. Such explanation should also indicate as to why the petitioner's passport should not be impounded. Such explanation shall be provided within a period of two (2) weeks from the date of receipt of a copy of this order. Upon receipt thereof, the second respondent herein is directed to consider such explanation and pass a reasoned order thereon within a period of two (2) months from the date of receipt of such explanation after providing a reasonable opportunity to the petitioner.

6. Accordingly, W.P.(MD).No.15780 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (W)

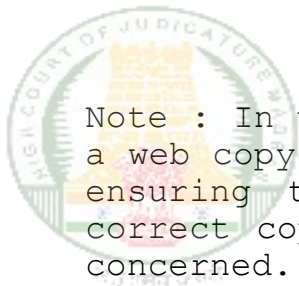
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/ /2021

Sub Assistant Registrar(CS)

Tsg

<https://hcservices.ecourts.gov.in/hcservices/>



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.

WEB COPY

To

- 1.The Secretary,
Ministry of External Affairs,
South Block,
New Delhi - 110 011.
- 2.The Regional Passport Officer,
O/o. Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.
- 3.The Inspector of Police,
Vedasandur Police Station,
Dindigul District.

+1 CC to M/s.V.MUTHUMANI, Advocate (SR-28467[F] dated 07/09/2021)

+1 CC to M/s.GP (SR-28332[F] dated 07/09/2021)

W.P (MD) No.15780 of 2021
06.09.2021

RK(15.09.2021) 3P 6C