

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 01.02.2022
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1279 of 2022

Padma

... Petitioner

Vs.

The Regional Passport Officer,
The Regional Passport Office,
Rayala Towers,
No.2 & 3, IV Floor,
New No.158, Anna Salai,
Chennai - 600 002.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to renew/ re-issue my passport bearing No.U2091274.

For Petitioner : Mr.A.Natarajan
Senior Counsel
for M/s.A.Madhumathi

For Respondent : Mr.Ramana Moorthy
Central Government Counsel

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondent to renew/ re-issue her passport bearing No.U2091274.

2.The case of the petitioner is that the petitioner was arrested on 14.08.2008 for the alleged offence under Sections 406, 420, 120(B), 341, 323, 506(i) of IPC r/w. Sections 3, 4, 5 and 6 of the Price Chits and Money Circulation (Banning) Act, 1978 and was granted bail by the learned V Metropolitan Magistrate, Egmore, Chennai on 09.09.2008 with condition to surrender her passport and the petitioner surrendered her passport on 15.09.2008. Thereafter, the case was transferred to Chief Metropolitan Magistrate and was numbered as C.C.No.3876 of 2009 and the petitioner applied for return of passport and vide order dated 09.07.2013, her passport was returned to her with a condition to surrender it on or before 08.09.2013.

3.The further case of the petitioner is that only thereafter the petitioner realized that the pages in her passport were over and hence she submitted her passport on 06.08.2013 to the Regional Passport Authority, Chennai with a requisition for re-issuing the passport with additional pages, however, inadvertently, failed to mention about the pending case and her application was not processed. Thereafter the petitioner filed W.P.No.3585 of 2017 before this Court seeking direction to the respondent to re-issue her passport and this Court vide order dated 03.09.2018 disposed of the said writ petition by directing the petitioner to approach the respondent with fresh application seeking re-issue/ renewal of passport.

4.The further case of the petitioner is that thereafter, the petitioner applied for re-issue of passport along with necessary documents and since the same was not processed, she filed contempt petition before this Court and thereafter, she was issued with passport with validity from 26.04.2019 to 25.01.2020. Since the validity of her passport was to expire, the petitioner filed W.P.No.28541 of 2019 before this Court and this Court vide order dated 04.10.2019 allowed the said writ petition. Thereafter, the petitioner applied for issuance of passport and she was issued with passport bearing No.U2091274 with validity from 23.12.2019 to 22.12.2020. Since the validity of the petitioner's passport has expired and since she needs the permission of this Court to apply for renewal/ re-issue of passport, the petitioner has filed this writ petition.

5.The learned Senior Counsel appearing for the petitioner submitted that this Court may permit the petitioner to make fresh application to the respondent for issuance of passport and this Court may issue direction to the respondent to consider the same and to pass appropriate orders within a reasonable time frame.

6.The learned Central Government Counsel appearing for the respondent submitted that if any such application is filed by the petitioner the same would be considered as per seniority and appropriate orders will be passed.

7.In view of the above, this Court, without expressing any opinion on the merits of the case, this Court permits the petitioner to make fresh application to the respondent for issuance of passport and if any such application is made by the petitioner, the respondent shall consider the same as expeditiously as possible.

8.With the above observation, the writ petition is closed.
No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

pri

To

The Regional Passport Officer,
The Regional Passport Office,
Rayala Towers,
No.2 & 3, IV Floor,
New No.158, Anna Salai,
Chennai - 600 002.

+1 cc to M/s.A.Madhumathi, Advocate Sr.NO. 6275

W.P.No.1279 of 2022

PMK(CO)
A.SK(07/03/2022)