



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.28255 of 2021

K.Thirumalai

...Petitioner

Vs.

The Regional Passport Officer,
Regional Passport Office, 4th Floor,
Chennai Rayala Towers No.2 and 3,
Old No.785, New No.158,
Anna Salai, Chennai-600 002.

...Respondent

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to renew the petitioner passport and hand over to petitioner for his job travel to Singapore country.

For Petitioner : Mr.S.Ramajayam

For Respondent : Mr.A.R.Sakthivel

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the respondent to consider the petitioner's passport renewal application dated 17.09.2021 and to issue passport to the petitioner to proceed with his job travel to Singapore as early as possible.

2. The case of the petitioner is that he obtained Passport bearing number K4684155 in the year 2003 and the same will expire on 17.04.2022, hence, the petitioner applied for renewal of passport on 17.09.2021. While being so, the Keezhkuppam Police sent adverse report against the petitioner with regard to the FIR pending against him in Crime No.315 of 2021 and 437 of 2021 due to some property dispute between the petitioner's family members. Thereafter, the respondent sent show cause notice to the petitioner on 22.09.2021, for which the petitioner sent an immediate and detailed reply along with all documents to the respondent through RPAD on 27.09.2021, however, no action was initiated to renew the petitioner's



passport. Therefore, the petitioner approached the respondent directly on 13.10.2021 and submitted all the documents along with the detailed reply sent by him on 27.09.2021. Despite of the same, no steps were initiate by the respondent. Hence, this Writ petition.

3.The learned counsel for the petitioner submitted that the petitioner belong to a poor family and he earned only from working in Singapore for the past 7 years. Though the petitioner sent a detailed reply on 27.09.2021 to the show cause notice issued against him on 22.09.2021 regrading the pending FIR against him, no steps were initiated by the respondent to provide the petitioner with the renewed passport. He further submitted that the petitioner filed Quash petition after succeeding in suit in O.S.No.754 of 2006 and the FIR pending against the petitioner in Crime No.315 of 2021 was also stayed by this Court vide order dated 02.07.2021 which was suppressed by the police official and sent false and adverse report against him. Hence, he submitted that, it would suffice if this Court issues direction to the respondent to consider the petitioner's passport renewal application dated 17.09.2021 and to issue passport to the petitioner as expeditiously as possible.

4. The learned counsel appearing for the respondent takes notice on behalf of the respondent and fairly conceded that the petitioner's renewal application dated 17.09.2021 will be considered in the accordance with law and appropriate orders will be passed within the time stipulated by this Court.

5. In view of the aforesaid submissions, considering the limited relief sought for by the petitioner, this Court without expressing any opinion on the merits of the case directs the respondent to consider the petitioner's passport renewal application dated 17.09.2021 on merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order after providing opportunity of hearing to the aggrieved persons.

6.This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True copy//

Sub Assistant Registrar

skt



To

The Regional Passport Officer,
Regional Passport Office, 4th Floor,
Chennai Rayala Towers No.2 and 3,
Old No.785, New No.158,
Anna Salai, Chennai-600 002.

+1cc to Mr.S.Ramajayam, Advocate SR.No.5

+1cc to Mr.A.R.Sakthivel, Advocate SR.No.133

W.P.No.28255 of 2021

PMK(CO)
GMY(17/02/2022)