



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. [MD] No. 2818 of 2022

WEB COPY

Meeran Mohammad Ilyas Hasan @
Mohammad Ilyas Hasan

... Petitioner

Vs.

1. The Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

2. The Superintendent of Police,
O/o. The Superintendent of Police,
Tirunelveli District.

3. The Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 to recommend the petitioner's application to issue passport by considering the petitioner's representation dated 03.02.2022.

For Petitioner : Mr.S.M.A.Jinnah

For Respondent No.1 : Mr.R.Senthil Kumar

Central Government Standing Counsel

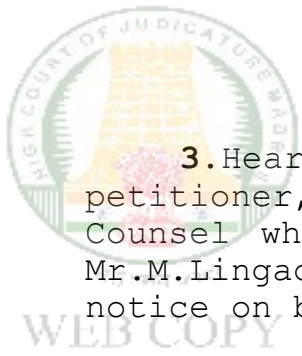
For Respondents 2&3 : Mr.M.Lingadurai

Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 2 and 3 to recommend the petitioner's application to issue passport based on the petitioner's representation dated 03.02.2022 and pass orders within a time frame to be stipulated by this Court.

2. The case of the petitioner is that the earlier adverse reports given by the second and third respondents are incorrect and therefore he has given a fresh representation on 03.02.2022 requesting the respondents 2 and 3 to pass favourable reports in favour of the petitioner in order to enable him to obtain a passport. Since the said representation has not been considered till date, the petitioner has filed this writ petition.



3.Heard Mr.S.M.A.Jinnah, learned Counsel for the writ petitioner, Mr.R.Senthil Kumar, learned Central Government Standing Counsel who accepts notice on behalf of the first respondent and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of respondents 2 and 3.

4.No prejudice would be caused to the respondents if the petitioner's representation dated 03.02.2022 is considered on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner.

5.According to the petitioner, the earlier adverse reports given by the respondents 2 and 3 are incorrect and therefore, he has given a fresh representation. Admittedly, the said representation has not been considered till date.

6.For the foregoing reasons, this Court directs the second and third respondents to consider the petitioner's representation dated 03.02.2022 seeking for favourable report from the second and third respondents to enable the petitioner to obtain a passport from the first respondent and pass final orders on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner within a period of twelve [12] weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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

1.The Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

2.The Superintendent of Police,
O/o. The Superintendent of Police,
Tirunelveli District.

3.The Inspector of Police,
Eruvadi Police Station,
Tirunelveli District.

+1 CC to M/s.SPL GP (SR-6003[F] dated 14/02/2022)

+1 CC to M/s.R.SENTHIL KUMAR, Advocate (SR-5653[F] dated 11/02/2022)

ORDER MADE IN
W.P. [MD]No.2818 of 2022
11.02.2022

_SS/24.02.2022 : 3P/6C