



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.3143 of 2022

M.Saravanan

.. Petitioner

Vs

1.The Government of India,
Ministry of External Affairs,
New Delhi.

2.The Regional Passport Officer,
Regional Passport Office,
Government of India,
Ministry of External Affairs,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

3.The Inspector of Police,
Keelavalavu Police Station,
Keelavalavu,
Melur Taluk,
Madurai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent's impugned communication No.SCN/311061445/21, dated 28.07.2021 and quash the same and consequently, direct the 2nd respondent to issue passport to him by considering his application No.MD1063465225921, dated 07.07.2021 and for other reliefs within a period stipulated by this Court.

For Petitioner : Mr.Atham Ali

For Respondents : Mrs.L.Victoria Gowri for R1 and R2
Assistant Solicitor General of India

Mr.B.Saravanan for R3
Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned communication, dated 28.07.2021, issued by the second respondent, calling upon the petitioner to give an explanation and produce documentary evidence by post with regard to the adverse police verification report given against him.



2.Heard Mr.Atham Ali, learned counsel appearing for the petitioner, Mrs.L.Victoria Gowri, learned Assistant Solicitor General of India, who accepts notice on behalf of the respondents 1 and 2 and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the third respondent.

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3.According to the petitioner, he has not committed any offence as mentioned in the police verification report. The learned counsel for the petitioner, on instructions, would submit that the petitioner is willing to submit an explanation to the impugned communication dated 28.07.2021, along with necessary documents as sought for by the second respondent. The said statement is recorded.

4.Accordingly, this Court, directs the petitioner to submit a reply to the impugned communication, dated 28.07.2021, by submitting his explanation with regard to the adverse police verification report, which is mentioned in the impugned communication and also furnish the necessary documents to prove his innocence, within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the second respondent shall process the petitioner's Passport application and pass final orders, within a period of eight weeks, thereafter, after affording a fair hearing to the petitioner, including granting him the right of personal hearing.

5.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

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 Government of India,
Ministry of External Affairs,
New Delhi.



2.The Regional Passport Officer,
Regional Passport Office,
Government of India,
Ministry of External Affairs,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

3.The Inspector of Police,
Keelavalavu Police Station,
Keelavalavu,
Melur Taluk,
Madurai District.

+1 CC to M/s.SPL GP (SR-9416[F] dated 02/03/2022)

+1 CC to M/s.S.ATHAM ALI, Advocate (SR-9517[F] dated 02/03/2022)

W.P. (MD)No.3143 of 2022

01.03.2022

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