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W.P.(MD)No.19147 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.19147 of 2022

Mohamed Hanif

... Petitioner

Vs.

The Regional Passport Officer,
Regional Passport Office,
7th Cross, Thillai Nagar,
Trichy.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to renew the petitioner's passport No.E1251344 based on his renewal application dated 01.06.2022 by considering the representation dated 10.08.2022.

For Petitioner : Mr.S.Krishnan

For Respondent : Mr.R.Arjunarajan
Senior Panel Counsel

ORDER

The petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondent to renew the petitioner's passport bearing No.E1251344, based on the renewal application, dated 01.06.2022 by considering the representation, dated 10.08.2022.



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2. The grievance of the petitioner is that the petitioner obtained passport bearing No.E1251344 in the year 2002 and the same was renewed on 17.04.2012. Now, to renew the passport, which expired on 16.04.2022, the petitioner made an application before the respondent. But the same was not considered. Hence, the petitioner approached the respondent in person and asked about the pendency of the renewal application. The respondent replied that a case is pending against the petitioner before the RPO, Chennai. The respondent did not give any written reply or the details about the case, which is stated to be pending against him. Hence, the petitioner is before this Court with the aforesaid prayer.

3.The learned counsel for the respondent submitted that the petitioner obtained the passport in the year 2002 at Regional Passport Office, Chennai. Thereafter, in the year 2003, the petitioner applied for fresh passport mentioning different place of birth, before the Regional Passport Office, Mumbai, but, the said application was closed as adverse police report was received with the remarks that 'the applicant is not staying at the given address'. Since the place of birth has been differently mentioned while applying for passports before two different passport officers, the birth certificate of the petitioner is forwarded to the Birth Certificate issuing authority to confirm the genuineness of the birth certificate.



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4. Further, when the respondent referred the renewal application for police verification, an adverse report was received from the Police officials concerned stating that a case is pending against the petitioner as if the petitioner has cheated many people acting as a Travel Agent and to alert all the passport offices about the issue. The said report was forwarded to the Superintendent of Police, SB CID, Chennai to investigate as to whether the petitioner had obtained any other passports in fraudulent manner. The report of the Superintendent of Police, SB CID, Chennai is awaited. After receiving the same, necessary action will be taken by the respondent.

5. Heard the learned counsel appearing on either side.

6. The learned counsel for the respondent has produced the copy of the report of the Commissioner, Municipal Office, Kayalpattinam dated 07.11.2022 to the effect that the birth certificate produced by the petitioner is not genuine as per the birth records in the Kayalpattinam Municipality. The same is placed on record. This itself shows that the claim of the petitioner is not genuine and the petitioner has not come to the Court with clean hands. Hence, this Court is not inclined to entertain this writ petition.



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7. Accordingly, this Writ Petition is dismissed. There shall be no order

as to costs.

24.11.2022

Index : Yes/No

Internet : Yes/No

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To

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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P. (MD) No.19147 of 2022

24.11.2022