



W.P.No.9486 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.03.2023

C O R A M

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.9486 of 2023

Francis Xavier

... Petitioner

Vs

1. The Regional Passport Officer,
Regional Passport Office,
Chennai Royala Towers No.2 and 3,
IV Floor, Old No.785 New No.158,
Anna Salai,
Chennai-600002.

2. The Inspector of Police,
Pagandai Kootusalai,
Kallakurichi District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any Writ or order or direction in the nature of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's application dated 26.12.2022 file No.MAG064907583322 and to issue the passport in favor of the petitioner within a time frame fixed by this Hon'ble Court.



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For Petitioner ... M/s.V.Gunasekar

For Respondents ... Mr.R.Subramanian for R1

... Mr.S.Balamurugan,
Government Advocate for R2

ORDER

This Writ Petition has been filed for a direction to the 1st respondent to consider the petitioner's application dated 26.12.2022 and issue the passport in favour of the petitioner within the time that may be stipulated by this Court.

2. Mr.R.Subramanian, learned counsel takes notice for the 1st Respondent and Mr.S.Balamurugan, learned Government Advocate takes notice for the 2nd respondent.

3. The Petitioner and his wife had applied for passport in file No.MAG064907583322. It is the case of the petitioner that due to family dispute, a criminal case was pending. With regard to the same, show cause notice was issued by the respondents to which, the petitioner has given the reply. In spite of the reply given by the petitioner which was submitted as early



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as on 09.12.2022, the 1st respondent has not taken any steps to issue the passport nor passed any orders on the application. It is still showing as pending verification. Hence, this Writ Petition.

4. Though very many grounds have been raised, the learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the 1st respondent to consider the petitioner's application dated 09.12.2022 seeking issuance of the passport in favour of the petitioner and pass orders on the same on merits.

5. On the above contention, this Court heard the learned counsel appearing for the 1st respondent.

6. In view of the limited relief sought for by the petitioner, this Court without going into the merits of the case, directs the 1st respondent to consider the petitioner's application dated 09.12.2022 seeking issuance of the passport in favour of the petitioner and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.



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7. This Writ Petition stands disposed of with the aforesaid direction.

There shall be no order as to costs.

28.03.2023

Index: Yes/No

Internet: Yes

NHS



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To

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M.DHANDAPANI, J

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