



WEB COPY



W.P.No.17623 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2023

CORAM :

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

W.P.No.17623 of 2023

S.Vijay

... Petitioner

Vs.

- 1.The Union of India,
Represented by the Principal Secretary,
Ministry of External Affairs,
Union of India, E Block,
Central Secretariat, New Delhi.
- 2.The Regional Passport Officer,
Office of the Regional Passport Office,
Royala Towers No.2 and 3, IV Floor,
Old No.785, New No.158,
Anna Salai, Chennai – 600 002, Tamil Nadu.
- 3.The State Rep. by its Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent to issue the passport in Passport Application Number – MA2064448251522 dated 27.09.2022.



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For Petitioner : Mr.M.Ravikumar
For Respondents : Mr.R.Subramanian
ACGSC [R1 & R2]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the second respondent to issue passport to the petitioner by considering the petitioner's Passport Application No.MA2064448251522 dated 29.07.2022.

2. Mr.R.Subramanian, learned Additional Central Government Standing Counsel accepts notice on behalf of the respondents 1 and 2. In view of the consent expressed by the learned counsel for the petitioner and the learned Additional Central Government Standing Counsel appearing for the respondents 1 and 2, this petition is taken up for final disposal.

3. The case of the petitioner is that, he made an application for issuance of passport on 29.07.2022 on the file of the second respondent. However, due to pendency of criminal case, a show cause notice was issued on 26.08.2022 calling for explanation from the petitioner. Pursuant



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to which, the petitioner appeared before the second respondent. Even thereafter, the second respondent sent another notice to the petitioner on 27.09.2022 reiterating the same facts stated in the show cause notice dated 26.08.2022. Since the petitioner's application was not disposed of, the petitioner sent representations dated 20.04.2023 and 21.04.2023 seeking for issuance of passport, however, the same was not disposed of. Hence, the petitioner filed the above writ petition before this Court for appropriate directions.

4. Though very many grounds have been raised in the above writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the second respondent to consider the petitioner application dated 29.07.2022 and pass appropriate orders, within a time frame that may be fixed by this Court.

5. On the above contentions, this Court, heard the learned Additional Central Government Standing Counsel appearing for the respondents 1 and 2 and perused the materials available on record.



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6. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the second respondent to consider the petitioner's application dated 29.07.2022 and pass appropriate orders on merits and in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition is disposed of. No costs.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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M.DHANDAPANI, J.

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