



W.P.(MD) No.12405 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P. (MD) No.12405 of 2023

Suresh

...Petitioner

Vs

1. The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillainagar 7th Cross,
Tiruchirappalli – 620 018.

2. The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st respondent to issue Passport to the petitioner by processing his application in File No.TR1074027724122 based on the explanation / representation dated 20.05.2023 within a time limit stipulated by this Hon'ble Court.

For Petitioner : Mr.J.Anandan

For 1st Respondent : Mr.S.Ponsenthil Kumaran
Central Government Standing Counsel



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For 2nd Respondent

: Mr.M.Siddharthan
Additional Government Pleader

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondents on 20.05.2023 seeking for processing his application for issuing passport. Since the said representation was not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation, dated 20.05.2023, on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.
There shall be no order as to costs.

25.05.2023

NCC : Yes/No
Index : Yes/No
SJ

To

1. The Regional Passport Officer,
Regional Passport Office,
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M.S.RAMESH,J.

SJ

2.The Inspector of Police,
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