



W.P.(MD)No.12543 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.12554 of 2023

and

W.M.P.(MD)No.10612 of 2023

Prabu

... Petitioner

versus

1. The Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road,
Trichy – 620 008.

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

... Respondents

Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent dated 10.12.2021 and quash the same and consequently, direct the 1st respondent to re-issue the petitioner's application



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No.TR1072993519520 within the time stipulated by this Court.

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For Petitioner : Mr.K.M.Karunakaran
For R1 : Mr.A.Srinivasan,
CGSC
For R2 : 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 first respondent on 06.05.2023 seeking 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



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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.

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 06.05.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight 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. Consequently, the connected Miscellaneous Petition is closed.

25.05.2023

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M.S.RAMESH, J.

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