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W.P.No.22011 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.22011 of 2024

V.Narayanaswamy

... Petitioner

Vs.

1.The Regional Passport Officer,
Passport Office,
Rayala Towers, No.2 & 3,
No.785, 158, Anna Salai,
Chennai – 02.

2.The Regional Passport Officer,
Passport Office,
2nd Floor, Corporation Commercial Complex,
West Thillai Nagar, Tiruchirappalli – 620 018.

3.The Sub Inspector of Police,
Team – I, EDF – I Wing,
Central Crime Branch,
Vepery, Chennai – 07.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 herein to consider the application of the petitioner dated 13.6.2023 for renewal of his passport vide in Application No.TR2075465028123 and to



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pass appropriate orders thereof within a time to be stipulated by this court.

For Petitioner : Mr.D.N.Dhurgasha

For Respondents : Ms.R.Durgarani
Central Government Standing Counsel
[R1 & R2]
Mr.L.Baskaran
Government Advocate (Crl.Side) [R3]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents 1 and 2 to consider the application of the petitioner dated 13.6.2023 for renewal of his passport vide Application No.TR2075465028123 and to pass appropriate orders thereof within a time to be stipulated by this court.

2. Ms.R.Durgarani, learned Central Government Standing Counsel accepts notice on behalf of the respondents 1 and 2 and Mr.L.Baskaran, learned Government Advocate (Crl.Side) accepts notice on behalf of the 3rd respondent. In view of the consent expressed by the learned counsel appearing for the parties, this petition is taken up for final disposal.



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3. The case of the petitioner is that, he made an application seeking renewal of his passport before the 2nd respondent on 13.06.2023 vide Application No.TR2075465028123. Since there was no response from the 2nd respondent, he sent a representation to the 2nd respondent on 15.09.2023. On 23.10.2023, the 2nd respondent sent a letter to the 3rd respondent requesting to furnish the present status of the case of the petitioner and the 2nd respondent also referred the matter to the 1st respondent. As there was no response for his application, the petitioner sent a letter through RTI dated 25.04.2024 to the 2nd respondent and on 22.05.2024, the 2nd respondent has given a reply stating that they have not received any reply from the 3rd respondent for their letter dated 23.10.2023 and once they receive the reply, they will process the application of the petitioner. Even after a lapse of eight months, the respondents have not taken any effective steps to renew the passport of the petitioner. Therefore, the petitioner has filed the above writ petition before this court for appropriate orders.



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4. Though very many grounds have been raised in this writ petition, 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 vide Application No.TR2075465028123 dated 13.06.2023 and renew the passport, within a time frame that may be fixed by this Court.

5. Learned counsel appearing for the 3rd respondent submitted that criminal cases are pending against the petitioner and already the 3rd respondent has forwarded the objection to the 1st respondent. Therefore, on instructions, he submitted that, this court may direct the 1st respondent to consider the petitioner's application dated 13.06.2023 along with objection made by the 3rd respondent in accordance with law, as expeditiously as possible.

6. Learned counsel appearing for the respondents 1 and 2 submitted that the petitioner's application dated 13.06.2023 will be considered along with the objection made by the 3rd respondent and appropriate orders will be passed as expeditiously as possible.



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7. In view of the above submissions, this court, without going into the merits of the case, directs the 1st respondent to consider the petitioner's application dated 13.06.2023 seeking renewal of passport along with the objection made by the 3rd respondent police and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above direction, 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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To

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Rayala Towers, No.2 & 3,
No.785, 158, Anna Salai, Chennai – 02.

2. The Regional Passport Officer,
Passport Office,
2nd Floor, Corporation Commercial Complex,
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M.DHANDAPANI, J.

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3.The Sub Inspector of Police,
Team – I, EDF – I Wing,
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