



W.P.No.29010 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29010 of 2024

Senthilmurrugan Subbu Kandasamy

...Petitioner

Vs.

1. The Regional Passport Officer,
2nd Floor, Corporation Commercial Complex,
7th Cross Street, West Thillai Nagar,
Tiruchirappalli – 620 018.

2. The Inspector of Police,
Padalur Police Station,
Perambalur District.

...Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to re-issue petitioner's passport on his application reference No.TR2076247428124 dated 12.02.2024 by considering the petitioner's representation dated 15.02.2024 within the time stipulated by this Honourable court.

For Petitioner : Mr.K.Sakthivel

For Respondents : Mr.V.Ashok Kumar, for R1
: Mr.L.Baskaran, GA(Crl. Side), for R2



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ORDER

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The petitioner has filed this Writ petition seeking direction to the respondents to re-issue passport to the petitioner by considering his application reference No.TR2076247428124 dated 12.02.2024 and representation dated 15.02.2024.

2. Mr.V.Ashok Kumar, learned counsel takes notice on behalf of the 1st respondent, Mr.L.Baskaran, learned Government Advocate (Crl. Side) takes notice on behalf of the 2nd respondent. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that, he was issued with the passport bearing No.H5608643 in the year 2009 by the 1st respondent and as the same got expired on 30.07.2019, he applied for re-issuance of passport, vide application bearing No.TR2073168614120 dated 23.12.2020, pursuant to which, the 1st respondent issued a letter dated 31.12.2020 seeking clarification with respect to the adverse police verification report stating that there is a criminal case pending against the petitioner in Cr.No.133 of 2019



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for the alleged offence u/s. 147, 294(b), 323, 448, 427 and 506(2) of IPC.

Since, the

petitioner was unable to send a reply due to COVID-19 pandemic, the 1st respondent sent a reminder dated 31.01.2021, however, the petitioner was unable to send an appropriate reply for the said reminder letter as well. As the petitioner was under the impression that his application was closed, he made a fresh application bearing reference No.TR2076247428124, seeking re-issuance of passport before the 1st respondent, and pursuant to the direction of the 1st respondent, when the petitioner appeared before the Passport Seva Kendra, Tiruchirapalli on 12.02.2024, his application was returned by the officer incharge. Immediately, the petitioner sent a detailed explanation/representation dated 15.02.2024 stating that the petitioner is not even arrayed as an accused in the above said pending criminal case, however, the same was not considered by the 1st respondent. Thereby, the petitioner approached the 1st respondent in person and pursuant to which, though there took place several correspondence between the petitioner and the respondents, till date, no orders have been passed either on the petitioner's application dated



12.02.2024 or on the petitioner's representation dated 15.02.2024 and till date, the petitioner was not issued with the passport. Hence, this Writ petition.

4. Though very many grounds have been raised, the learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to pass appropriate orders on the petitioner's application bearing reference No.TR2076247428124 dated 12.02.2024 for re-issuance of passport in favour of the petitioner, by considering his representation dated 15.02.2024, as expeditiously as possible.

5. Learned counsel appearing on behalf of the respective respondents submitted that, appropriate orders will be passed on the petitioner's application dated 12.02.2024 by considering his representation dated 15.02.2024.

6. In view of the aforesaid submissions, this Court without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 15.02.2024 on merits and in accordance with law and



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pass appropriate orders within a period of two (2) weeks from the date of receipt of a copy of this order, disposing the petitioner's application bearing reference No.TR2076247428124 dated 12.02.2024, after affording an opportunity of hearing to the petitioner.

7. With the above directions, this Writ Petition stands disposed of. No costs.

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skt

NCC : Yes/No
Index : Yes/No
Speaking Order : Yes/No

To:

1. The Regional Passport Officer,
2nd Floor, Corporation Commercial Complex,
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Tiruchirappalli – 620 018.
2. The Inspector of Police,
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Perambalur District.

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M.DHANDAPANI, J.

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