



W.P.No.32387 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.32387 of 2024

Jegan Moorthy

..... Petitioner

Vs.

1.The Government of India,
Ministry of External Affairs,
Rep. by the Regional Passport Officer,
Regional Passport Office,
Chennai Royala Towers Nos.2 and 3,
IV Floor, Old No.785, New No.158,
Anna Salai,
Chennai 600 002.

2.The Inspector of Police,
B-7, Vellavedu Police Station,
Poonamallee, Tiruvallur.

..... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to Re-issue the Passport to the petitioner based on the petitioner Aadhar and Pan Card.



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W.P.No.32387 of 2024

For Petitioner : Mr.G.Mohanakrishnan
for M/s.S.Priyadarshini
For Respondents :Mr.B.Ram Prabu for R1
Mr.L.Baskaran
Government Advocate (Crl.side)
for R2

ORDER

The petitioner herein seeks a direction to the first respondent to issue passport to the petitioner based on the petitioner's Aadhar card and Pan card.

2. It is the case of the petitioner that he has already been issued with a passport. However, in the passport issued to the petitioner his name was mentioned as “Jagan Moorthy” instead of “Jegan Moorthy”. Therefore, the petitioner submitted an application for correction of his name in the passport in application Ref.No.MA2076842298524. Pursuant to the application submitted by the petitioner for correction of name and reissue of passport after correction, the first respondent issued a notice on 26.08.2024 calling for explanation from the petitioner regarding adverse police report



W.P.No.32387 of 2024

submitted by the second respondent citing pendency of two criminal cases in PRC.Nos.35 and 36 of 2008 on the file of the Judicial Magistrate No.I, Poonamallee.

3. The petitioner submitted his reply to the show cause notice issued by the first respondent on 24.09.2024 explaining the circumstances, under which the pendency of the two criminal cases was not mentioned in the application of the petitioner. Though the explanation of the petitioner was submitted as early as on 24.09.2024, till date, the first respondent has not passed orders on the application submitted by the petitioner for correction of name and issue of passport. Therefore, the petitioner has come before this Court.

4. The learned counsel appearing for the petitioner would submit that the petitioner already submitted his explanation on 24.09.2024 and hence the first respondent is not justified in keeping the application pending. The learned counsel further submitted that the petitioner is ready to file undertaking affidavit, if any as demanded by the first respondent.



W.P.No.32387 of 2024

The said statement is also recorded.

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5. Mr.B.Ram Prabhu, learned counsel appearing for the first respondent would submit that the explanation offered by the petitioner will be considered in accordance with law.

6. Mr.L.Baskaran, learned Government Advocate (Crl.side) appearing for the second respondent filed a status report stating that there are criminal cases pending on the file of the Judicial Magistrate No.I, Poonamallee against the petitioner.

7. In view of the same, this Court without expressing any opinion on the merits of the matter, is inclined to direct the first respondent to consider the explanation submitted by the petitioner dated 24.09.2024 and pass final orders on its own merits within a period of two weeks from the date of receipt of copy of this order.



W.P.No.32387 of 2024

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8. Accordingly, this writ petition is disposed of. No costs.

22.11.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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To
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W.P.No.32387 of 2024

S.SOUNTHAR, J.

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W.P.No.32387 of 2024

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