



W.P(MD)No.8532 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.11.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.8532 of 2024

C.Sethumani

... Petitioner

Vs.

The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to change of the petitioner's name particular instead of “Murugesan Chidambaram” as “Sethumani Chidambaram” in petitioner's passport No. M8507166 issued on 21.09.2015 and reissue the same by considering petitioner's application No.MD1073416974721 dated 06.07.2021.

For Petitioner : Mr.S.Atham Ali



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For Respondent : Mr.K.Asok Kumar Ram
Central Government Standing Counsel

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondent to change the petitioner's name particular instead of “Murugesan Chidambaram” as “Sethumani Chidambaram” in petitioner's passport No.M8507166 issued on 21.09.2015 and reissue the same by considering petitioner's application No.MD1073416974721 dated 06.07.2021.

2. Heard the learned counsel appearing for the petitioner, the learned Central Government Standing Counsel appearing for the respondent and carefully perused the entire materials available on record.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.The petitioner was born on 10.05.1971 and his name is Senthumani, S/o.Chidambaram. He had one sibling by name Murugesan



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who passed away as early as in the year 1990. The petitioner left to Mumbai after completing 9th standard due to poverty searching for a job.

While he was in Mumbai for the purpose of availing job in abroad, the petitioner's father arranged an agent to apply passport to the petitioner. It is claimed by the petitioner that inadvertently his name has been given by his father as “Murugesan Chidambaram” instead of “Sethumani Chidambaram”. And in due course of time passport bearing No.M8507166 came to be issued to the petitioner in the name of his brother “Murugesan Chidambaram” instead of his name as “Sethumani Chidambaram”. Without taking any steps to correct his name in the passport, availing the said passport, the petitioner had travel to Qatar and worked there from 2009 to 2014 and then in Dubai for a period of 5 years, that is, he had worked abroad for more than 23 years. After returning to India, he made an application to rectify the mistake in his passport and reissue the same in his name, for which he applied online. On verification of all the documents, the petitioner's application is kept pending endlessly without dismissal. Hence, this Writ Petition came to be filed.



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5.The learned Central Government Standing Counsel appearing for the respondent on the basis of the counter affidavit filed by the respondent submitted that this is a clear case of impersonation where the petitioner had already misused the passport which was issued in some other name. The petitioner had already applied for reissuance of passport twice without taking any steps to change his name and had renewed the same in the name of his late brother Murugesan and now knowing his action of having obtained reissuance of passport by impersonating his late brother's particulars. Only after the passport authorities identified the said impersonation he has come forward to make an application to change his name in the passport in his new application for reissuance of the same.

6.Per contra, the learned counsel for the petitioner submitted that the petitioner applied for renewal during previous two occasions only in the embassy, on 03.01.2007 at Bahrain and on 21.09.2015 at Saudi Arabia and now the petitioner has made an application for reissuance of passport.



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7.However, viewing seriously that, it is a clear case of impersonation, this Court is not inclined to allow this Writ Petition and accordingly this Writ Petition is dismissed. However the petitioner is given liberty to apply afresh in his own name. There shall be no order as to costs.

13.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.



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L.VICTORIA GOWRI, J.

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