



Cont.P.(MD) No.1546 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

Cont.P.(MD) No.1546 of 2024

Rajamahendran

.. Petitioner

Vs.

1.Dr.K.J.Srinivasa
JS (PSP) and CPO,
PSP Division,
Ministry of External Affairs,
Room No.8, Patiala House,
Tilak Marg, New Delhi-110 001.

2.Mrs.Banumathi Ponraj
Regional Passport Officer,
Regional Passport Office,
Plat No.A5, Solai Road and
Shastri Road Junction,
Thillainagar, Thiruchirappalli-620 018.

.. Respondents

Prayer: Petition filed under Section 11 of the Contempt of Courts Act, 1971 against the contemnors herein for their willful disobedience to the order passed by this Court in W.P.(MD) No.3359 of 2020, dated 20.06.2023 and punish them accordingly.



Cont.P.(MD) No.1546 of 2024

WEB COPY

For Petitioner : Mr.SMA.Jinnah
For Respondent-1 : Mr.K.Govindarajan
Deputy Solicitor General of India

ORDER

This contempt petition has been filed alleging willful disobedience of the order of this Court dated 20.06.2023 in W.P.(MD) No.3359 of 2020.

2. Learned counsel for the petitioner has produced a letter dated 29.07.2024, which he has received from the Passport Officer, Tiruchirappalli, wherein it has been stated as follows:

"With reference to the notice dated 05.07.2024, it is hereby informed that as per the Hon'ble Madurai Bench of Madras High Court dated 20.06.2023 the refusal to issue passport u/s 5(2)(c) is an appealable order. Further if any appeal is filed by the petitioner, the same shall be disposed of as expeditiously as possible not later than three months from the date on which the appeal is filed.



Cont.P.(MD) No.1546 of 2024

However, it may be informed that the appeal against the decision of refusal order of the Passport Officer has to be made to the Joint Secretary (PSP) and CPO, Ministry of External Affairs, New Delhi who is a Appellate authority. The decision on appeal petition needs to be taken by the Ministry of External Affairs, New Delhi.

You may therefore, mention the date on which the appeal petition was forwarded to the Appellate authority, New Delhi in order to enable this office to take up the matter further with the Ministry."

3. To this, a reply has been sent on 05.08.2024 by the learned counsel for the petitioner stating as follows:

"With reference to the notice in F.No.TR2070010321717 dated 29.07.2024, it is hereby informed that with respect to the order of the Hon'ble Madurai Bench of Madras High Court in W.P.(MD) No.3359 of 2020 dated 20.06.2023, my client had filed an appeal before the Joint Secretary (PSP) and CPO, Ministry of External Affairs, New Delhi on 14.08.2023 and affixed the copies of the Petition and receipt with this letter."



Cont.P.(MD) No.1546 of 2024

WEB COPY

4. It is seen that there is nothing to show that the appeal dated 14.08.2023 has been received by the respondents herein. Therefore, the petitioner is now directed to file an appeal afresh and on receipt of such appeal, the same shall be disposed of within a period of three months from the date of receipt of a copy of this order.

5. In view of the above, this Court finds that no contempt has been made out. Therefore, this Contempt Petition is dismissed. No costs.

12.08.2024

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

abr



Cont.P.(MD) No.1546 of 2024

WEB COPY

To

- 1.Dr.K.J.Srinivasa
JS (PSP) and CPO,
PSP Division, Ministry of External Affairs,
Room No.8, Patiala House,
Tilak Marg, New Delhi-110 001.
- 2.Mrs.Banumathi Ponraj
Regional Passport Officer,
Regional Passport Office, Plat No.A5, Solai Road and
Shastri Road Junction, Thillainagar,
Thiruchirappalli-620 018.



WEB COPY



Cont.P.(MD) No.1546 of 2024

P.T.ASHA, J.

abr

Cont.P.(MD) No.1546 of 2024

Dated: 12.08.2024