

*W.P.(MD)No.27202 of 2024*

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**Dated : 27.01.2025**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD)No.27202 of 2024**

Murugan

... Petitioner

Vs.

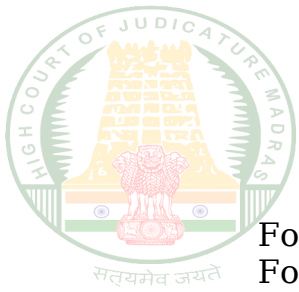
1.The Government of India,  
Ministry of External Affairs,  
Represented by,  
The Regional Passport Officer,  
The Regional Passport Office,  
Madurai,  
Bharathi Uala Veethi, Race Course road,  
Madurai – 625 002.

2.The Passport Officer,  
Passport Office, Tirunelveli,  
Passport Seva Kentra,  
No.13, South Bypass Road,  
Xavior Colony,  
Tirunelveli.

3.The Inspector of Police,  
Tirunelveli City Crime Branch,  
Tirunelveli.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1<sup>st</sup> respondent to reissue the passport to the petitioner by disposing the petitioner's passport application file No.MD2073264509921 dated 11.02.2021 as well as petitioner's mails dated 02.03.2022 and 14.03.2024.



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For Petitioner : Mr.M.S.Jeyakarthik  
For Respondents 1 & 2 : Mr.H.Velavadhas  
Central Government Standing Counsel  
For 3<sup>rd</sup> Respondent : Mr.K.Gnanasekaran  
Government Advocate (Crl)

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### **ORDER**

The prayer in the Writ Petition reads as follows:-

*“To issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to reissue the passport to the petitioner by disposing the petitioner's passport application file No.MD2073264509921 dated 11.02.2021 as well as petitioner's mails dated 02.03.2022 and 14.03.2024.”*

2.Heard the learned counsel on either side and carefully perused the entire materials available on record.

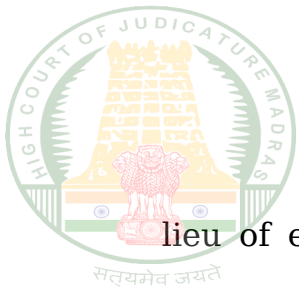
3.The petitioner obtained a passport bearing No.I 187283 in the Tiruchy passport office on 22.03.1991. He was working in Dubai since 1991. He renewed his passport periodically from Dubai on 04.03.2001 and thereafter on 06.03.2011. The validity of the aforesaid passport was from 06.03.2011 to 05.03.2021 and his passport was about to expire on 05.03.2021. Hence, he made an application for re-issuance of his passport before the second respondent by application second respondent on 11.02.2021 and by application number MB 2073264509921 dated 11.02.2021. However, the first respondent vide proceedings dated



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08.03.2021, informed the petitioner that he had obtained another passport No.A3848595 dated 13.10.1997 from the Regional Passport Office, Chennai and required explanation in this regard and to surrender the other passport within 30 days. However, since the petitioner did not obtain any such dual passport explaining his innocence, he had submitted his reply. In this regard, the petitioner had made several communications to the first and second respondents and in the meanwhile, he has lost his job in UAE as well. In view of the same, this Writ Petition is filed.

4.The learned Central Government Standing Counsel appearing for the respondents 1 and 2, on the basis of the counter affidavit filed by the first and second respondent submitted that petitioner Shri.K.Murugan, S/o.Kandasamy, a resident of No.15B, Pon Divya Bala Illam, 60, Feet Road, 27<sup>th</sup> Street, Rahmath Nagar, Tirunelveli City, had obtained a passport No.I187283 dated 22.03.1991, from Regional Passport Office, Trichy, mentioning that he was born on 15.05.1968, at Trichy, Tamil Nadu. Later, he obtained a re-issued passport No.A9256021 dated 04.03.2001 valid upto 03.03.2011 from Consulate General of India, Dubai, in lieu of expiring of validity of previous passport. Thereafter, the petitioner had obtained a 2<sup>nd</sup> re-issued passport No.J6444258 dated 06.03.2011, from Consulate General of India, Dubai in lieu of expiring of validity of passport No.A9256021 dated 04.03.2001. Thereafter, he applied for a re-issue of passport at Passport Seva Kendra, Tirunelveli in



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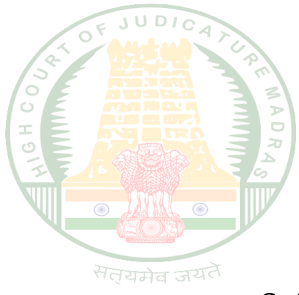
lieu of expiring of validity of passport No.J6444258 dated 06.03.2011, vide application ref. No.MD2073264509921. While processing his application at passport Seva Kendra, it was noticed that the petitioner has obtained another parallel fresh passport bearing No.A3848595 dated 10.10.1997 from RPO-Chennai. The petitioner has violated the provisions of Indian Passport Act, 1967 and has obtained a parallel passport, which attracts section 10(3)(b) and 12(b) of Indian Passport Act, 1967. The document produced by the petitioner in support of his date of birth while obtaining the parallel passport No.A384859 dated 10.10.1997 has been referred to the issuing authority to confirm on its genuineness. In reply, the Head Master, Government High School, Nedugala, The Nilgris District, has informed that no such document is issued from their school and confirmed that the Transfer Certificate bearing Sl.No.37, Admission No.1378 is not a genuine one. The petitioner in his explanation dated 16.09.2022 has furnished that he can recollect that he approached an unknown agent to obtain a passport and the document submitted with the application might have been believed to be prepared by the agent and he is not aware of the said document submitted for obtaining passport and has produced a Lost Document report dated 15.09.2022, as a proof of document in support of lost of the passport No.A3838595 dated 10.10.1997 obtained from RPO-Chennai. The Inspector of Police, City Crime Branch, Tirunelveli City, in their letter dated 21.12.2022, had requested for travel history details of the petitioner. Passport Offices



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does not maintain the travel history of the passport holders. Hence, a reply dated 20.01.2023, followed by reminders informed to the Inspector of Police, City Crime Branch, Tirunelveli City that the office of the first respondent does not maintain the travel history. The action taken report against the petitioner from City Crime Branch, Tirunelveli City, is awaited. Due to efflux of time, the passport application of the petitioner was closed on 04.03.2024 under intimation to the applicant vide letter ref. No.FCL/317249029/24, dated 04.03.2024. As such, there is no application submitted by the petitioner is pending for further processing.

5.The status report filed by the third respondent would reveal that this is a clear case of holding dual passports. Since the application made by the petitioner has already been closed by the first respondent office on 04.03.2024 and recording the fact that the petitioner's conduct would attract appropriate action under Section 10(3)(b) and 12(1)(b) of the Indian Passports Act, 1967, this Court hereby direct the third respondent to conclude the investigation in this regard within a period of 3 months from the date of receipt of copy of this order and the petitioner is given liberty to make an application afresh after completion of investigation in this regard by the third respondent police. The petitioner is also directed to extend all possible cooperation in the conduct of investigation by the third respondent police.



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6. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

**27.01.2025**

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

To

1. The Regional Passport Officer,  
The Regional Passport Office,  
Madurai,  
Bharathi Uala Veethi, Race Course road,  
Madurai – 625 002.
2. The Passport Officer,  
Passport Office, Tirunelveli,  
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**L.VICTORIA GOWRI, J.**

Mrn

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