

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

WP(C) .No. 34217 of 2007 (W)

PETITIONER(S) :

M.K.ZUBAIR ALI,
AGED 53 YEARS,
THE MANAGING DIRECTOR, SAYED EBRAHIM BADSHAH HAJI,
UMRA VISA SERVICE, OPP. CENTRAL JUMA MASJID,
TRIPRAYAR, P.O. NATTIKA, THRISSUR.

BY ADVS.SRI.S.SAJU
SRI.SHOBY K.FRANCIS.

RESPONDENT(S) :

1. UNION OF INDIA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
MINISTRY OF EXTERNAL AFFAIRS,
CENTRAL SECRETARIAT, NEW DELHI.
2. DEPUTY SECRETARY (HJ) ,
MINISTRY OF EXTERNAL AFFAIRS, NEW DELHI,
TEL. 011-26111781/82/FAX 83.
3. ALL INDIA HAJ UMRAH TOUR ORGANIZERS ASSOCIATION,
RECOG. BY MINISTRY OF EXTERNAL AFFAIRS,
GOVERNMENT OF INDIA, POST BOX NO.17377, 2ND FLOOR,
HALIMA MANZIL, 4TH GAVTHAN LANE, OPP. P.O.ANDHERI (WEST) ,
MUMBAI-58, REPRESENTED BY ITS SECRETARY.
4. COUNSULAR GENERAL OF INDIA,
OFFICE OF COUNSULAR GENERAL JEDDAH, SOUDIA ARABIA,
5. THE CHIEF EXECUTIVE OFFICER,
HAJ COMMITTEE OF INDIA, HAJ HOUSE,
7-A MRA MARG, MUMBAI-1.

R1&2 BY SRI.P.PARAMESWARAN NAIR, ASST. SOLICITOR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
30-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J U D G M E N T

IT IS SUBMITTED THAT THE MATTER HAS BECOME INFRUCTUOUS. THEREFORE,
THE WRIT PETITION IS CLOSED AS INFRUCTUOUS WITHOUT EXAMINING THE
MERITS.

30/09/2015

SD/-
A.V.RAMAKRISHNA PILLAI, JUDGE

/TRUE COPY/

P.A.TO JUDGE

RVS.

S. Siri Jagan, J.

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Dated this, the 3rd September, 2008.

J U D G M E N T

The petitioner is a travel agent. Every year, the 2nd respondent issues certificate of registration and allots a fixed quota of visas to the petitioner for taking persons for Haj pilgrimage. For registration and allotment in April, 2007, the 3rd respondent forwarded the application submitted by the petitioner to the 2nd respondent. Since no action was taken, the petitioner approached this Court and by Ext. P6 judgment, the 2nd respondent was directed to consider the same. The petitioner's request was rejected by Ext. P7. The petitioner is challenging that order and seeks allotment of Haj pilgrimage quota for 275 persons.

2. The learned Assistant Solicitor General appearing for respondents 1 and 2 submits that a similar question was considered by a learned Judge of the High Court of Judicature of Madras in a batch of writ petitions. A copy of that judgment has been made available to me for perusal. It is submitted that similar orders can be passed in this writ petition also. Counsel for the petitioner also agrees to the same. Accordingly, following that judgment, I dispose of this writ petition as follows:

The 2nd respondent shall consider and pass appropriate orders on the application of the petitioner, if the petitioner satisfies all the other legal requirements for registration, as expeditiously as possible. His request should not be rejected on the ground that the petitioner is a new private tour operator or on the ground of paucity of quota. While registering the names for Haj pilgrimage under the

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-: 2 :-

petitioner, the claim of all the registered private tour operators whether old or new should be considered alike while allotting quota to them.

Sd/- S. Siri Jagan, Judge.

Tds/