

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.15885 OF 2014

ORDER:

Heard learned for the petitioner and Sri B.Narayana Reddy, learned Assistant Solicitor General.

The learned Assistant Solicitor General appearing for the respondents has made submissions on the strength of written instructions dated 21.04.2015. Having regard to the submission made by the learned counsel for the respondents, this Court is relieved from considering the facts in detail.

The petitioner prays for Mandamus directing the respondents to issue passport pursuant to application dated 20.12.2011 renewing her earlier passport No.E-4312599 or issue a fresh passport by accepting the amount of Rs.5,000/- tendered by the petitioner.

The circumstances leading to filing of the writ petition are as follows:

A case in Cr.No.119/2012 is pending investigation at Begumpet Police Station against T.Srinivas, Maisani Swamy and Anil Kumar. The petitioner herein is shown as one of the witnesses in the charge complained against the accused viz., T.Srinivas, Maisani Swamy and Anil Kumar. The request of petitioner for either issuance of a fresh passport or renew earlier passport No. E-4312599 is refused on the ground that the petitioner is one of the accused in the said crime. The petitioner under the same belief filed appeal and a conditional order is passed. Only after the petitioner has taken information under the Right to Information Act in Cr.No.119/2012, the petitioner could know that he is only a witness but not accused in the crime pending investigation. Having regard to this circumstance, the prayer is to direct the respondents to consider issuing a passport on the application dated 20.12.2011 either by renewing or by tendering a fresh passport.

At the time of hearing, the learned counsel submits that the 2nd respondent on verification of record expressed no difficulty to consider the issue of passport to petitioner without reference to Cr.No.119/2012. The petitioner is given four weeks time from today to apply to the 2nd respondent for issue of a passport and having regard to the time lost by the petitioner from 2011 till date, the

2nd respondent is directed to consider the application and issue passport, within a further period of four weeks from the date of submission, provided the application is otherwise statutorily compliant.

The writ petition is, accordingly, ordered as indicated above. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

S.V.BHATT, J

24th April, 2015

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