

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No:34071 OF 2016

ORDER:

1. The present writ petition is filed by the petitioner under Article 226 of the Constitution of India, seeking a direction to the 2nd respondent to process the file and issue Passport Police Clearance Certificate (PCC) for the passport No.P3929937 of the petitioner.

2. Heard and perused the material available on record.

3. It is stated in the affidavit that the 2nd respondent issued a passport to the petitioner vide passport No.P3929937 for one year valid from 22.8.2016 to 21.8.2017. In view of the requirement of passport police clearance certificate for the purpose of processing the application for US Visa, on 24.8.2016 the petitioner applied for such certificate to the 2nd respondent through online in the procedure prescribed, after issuance of above passport by the 2nd respondent. But the 2nd respondent refused to issue the clearance certificate vide proceedings dated 23.9.2016 on the ground that there is no clearance certificate from the Inspector of Police, Passport & Foreign Section, due to pendency of criminal proceedings against the petitioner for the offence under Section 498-A IPC.

Hence the petitioner filed this writ petition.

4. Learned Counsel for the petitioner submitted that on the earlier occasions, the petitioner was allowed to travel abroad and he has appeared before the Court concerned after his return to India and that the petitioner returns to India on or before 31.7.2017 after his travel.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, the Writ Petition is disposed of with the following direction:

“The 3rd respondent is directed to issue Clearance Certificate in favour of the petitioner, within a period of two weeks from today and on issuance of such certificate, the 2nd respondent is also directed to issue Passport Police Clearance Certificate in favour of the petitioner.”

No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

Dated: 25th October, 2016
Nn.



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25/10/2016

Nn.