



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) No.12560 of 2017

Balamurugan, S/o.Shanmugam

... Petitioner

Vs.

The Regional Passport Officer,
Ministry of External Affairs,
Government of India,
Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondent to issue passport to the petitioner, based on the application dated 22.11.2016, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.V.P.Rajan
For Respondent : Mr.K.Ashok Kumar Ram
Central Government Standing Counsel

O R D E R

This Writ Petition is filed for a direction to the respondent to issue passport to the petitioner, based on his application, dated 22.11.2016.

2.The case of the petitioner is that he submitted an application on 22.11.2016 with all relevant documents for issuance of passport.

3.The petitioner claims that on the date of filing the application, no criminal case was pending against him. Thereafter, in Crime No.496 of 2016, the petitioner was implicated as A2 and on 12.11.2016, the case was referred to Lok Adalat and the petitioner was convicted and fine amount of Rs.1,300/- was imposed on him. Since the petitioner's application was kept pending without any progress, the writ petition has been filed.

4.Heard Mr.V.P.Rajan, learned counsel appearing for the petitioner and Mr.K.Ashok Kumar Ram, learned Central Government Standing Counsel appearing for the respondent.



5.The respondent has filed a counter affidavit stating that if an accused is convicted below two years, there is no bar for issuing passport and the respondent has now sought report from the Superintendent of Police, Sivagangai. After receiving the report, the application of the petitioner will be processed in accordance with law.

6.In the light of the above, this Court directs the respondent to consider the application of the petitioner, dated 22.11.2016, and pass orders as expeditiously as possible after receiving the report from the Superintendent of Police, Sivagangai District. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

The Regional Passport Officer,
Ministry of External Affairs,
Government of India,
Madurai.

+ 1 CC TO Mr.K.ASHOK KUMAR RAM, ADVOCATE IN SR No. 68151
+ 1 CC TO Mr.V.P.RAJAN, ADVOCATE IN SR No. 68834

SMN2

TE/JC/SAR-I : 16/08/2017 : 2P/4C

W.P(MD) No.12560 of 2017
27.07.2017