



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2017

CORAM:

WEB COPY

THE HON'BLE MR. JUSTICE K. KALYANASUNDARAM

W.P(MD) No.12555 of 2017

Anandavel

... 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, praying 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 the period that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.V.P.Rajan
For Respondent : Mr.G.Rajaraman

O R D E R

The prayer sought for in the Writ Petition is for issuance of a Writ of Mandamus directing the respondent to issue passport 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. The petitioner claims that on the date of filing of the application, no criminal case was pending against him. In Crime No.496 of 2016, the petitioner is arrayed as A3 and on 12.11.2016, the case was referred to Lok Adalat and he pleaded guilty and on that basis he was convicted and imposed a fine of Rs.1300/-. Since the petitioner's application was kept pending for about one year without any progress, the writ petition has been filed.

3. Heard Mr.V.P.Rajan, learned counsel appearing for the petitioner and Mr.G.Rajaraman, learned counsel appearing for the respondent.

4. By consent of both parties, the main Writ Petition itself is taken up for disposal.



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, Sivakasi. After receiving the report, the application 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 as expeditiously as possible after receiving the report from the Superintendent of Police, Sivagangai District, preferably within a period of three months from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr.V.P.RAJAN Advocate in SR. NO.67227
MR/LS
JS/MR.KKR/SAR.4/2P-3C/7.8.2017

ORDER MADE IN
W.P(MD) No.12555 of 2017
20.07.2017