

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.736 of 2018
and
W.M.P.No.898 of 2018

S.Sunil

.. Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road,
Tiruchirappalli - 620 008

2. The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam District.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the 1st respondent to issue passport to the petitioner.

For Petitioner : Mr.Greetha Senthilkumar
For Respondents : Mr.A.Murugan,
Central Govt.Counsel for R1
Mr.R.Govindasamy,
Special Government Pleader for R2.

O R D E R

The petitioner seeks for a Mandamus directing the 1st respondent to issue passport to him.

2. The 1st respondent filed a counter affidavit wherein it is stated that the petitioner has been involved in Crime No.33 of 2017 under Sections 279, 338 and 304(A) IPC and a criminal case in C.C.No.168/2017 is also pending before the Judicial Magistrate No.I, Nagapattinam. It is further stated that the matter was referred to the Superintendent of Police, Nagapattinam, to inform the present status in C.C.No.168/2017 and convey their clearance/objection for granting passport to the petitioner. Therefore, it is stated by the 1st respondent that they are waiting for the reply in this regard from the Superintendent of Police, Nagapattinam, and as and when the

reply is received, the petitioner's application will be considered in accordance with law.

3. Learned counsel for the petitioner submitted that the petitioner is a student and therefore, the pendency of the criminal case cannot be a bar for the 1st respondent to consider his application.

4. Learned counsel for the 1st respondent fairly submitted that once the clearance is obtained from the Superintendent of Police, Nagapattinam, the application of the petitioner will be considered and appropriate orders will be passed.

5. Considering the above stated facts and circumstances and the submissions made by both counsels before this Court, the Writ Petition is disposed of by directing the 1st respondent to consider the representation of the petitioner and pass appropriate orders on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True copy//

Sub Assistant Registrar

vsi
To

1. The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road, Tiruchirappalli - 620 008

2. The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam District.

+1cc to Mr.A.Murugan, Advocate SR.No.11866

+1cc to Mr.Greetha Senthil Kumar, Advocate SR.No.12268

+1cc to Government Pleader SR.No.12163

GN(19/02/2018)

W.P.No.736 of 2018