



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2018

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THE HON'BLE MR.JUSTICE M.GOVINDARAJ

W.P.(MD) No.13625 of 2018

Ranjith

... Petitioner

-Vs-

The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

...Respondent

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondent to issue a passport to the petitioner based upon the petitioner's passport application in ARN:18-1005112355 dated 23/05/2018 within the time that may be stipulated by this Court.

For Petitioner	:	Mr.J.William Christopher
For Respondent	:	Mr.V.Kathirvelu
		Additional Solicited General
		assisted by
		Mrs.S.Ragavendre
		Central Government Standing Counsel

O R D E R

The petitioner filed an application for issuance of passport. On verification of the police report, it is found that an FIR is pending for the offences punishable under Section 341, 294(b), 353, 506(ii) IPC. Therefore, he sought for a status of the case of the FIR in Crime No.139 of 2017 pending on the file of the Inspector of Police, Viruveedu Police station, Dindigul District.

2. The learned counsel appearing for the petitioner would draw the attention of this Court to the letter dated 08.06.2018 towards him by the respondent, wherein, the status of the case is very well shown as "not taken on file". Again, the respondent, with a view to protract issuance of passport, asked for the relevant documents.

3. The learned Senior Counsel appearing for the respondent would submit that what is sought for is only the status of the case to be produced by the petitioner himself. On such production, the application will be processed.



4. Heard both sides.

5. On perusal of the letter dated 08.06.2018 pointed out by the petitioner, it is seen that the case is still pending in the FIR stage and the charge sheet has also not been filed. However, considering the present circumstances, the petitioner is directed to produce some documents to show the status of the FIR. It is also equally possible for the respondent to verify the same through the police. Therefore, the respondent is directed to get information towards the status of the case through the police for the purpose of processing the passport application.

6. It is well settled that the pendency of the criminal cases cannot be a bar for granting passport. The Central Government has also issued a notification in GSR No.570(E), Ministry of External Affairs, dated 25.08.1993, observing that pendency of the criminal proceedings cannot be a bar for issuance of passport.

7. In such circumstances, a direction is issued to the respondent to consider the passport application on production of status of the case with regard to the FIR, by the petitioner. The respondent is also directed to get information simultaneously through the police about the status of the FIR pending on the file of the Viruveedu Police station, Dindigul District. Further, a direction is issued to the respondent to process the passport application of the petitioner on receipt of information from either sources within a period of three weeks from the date of receipt of a copy of this order.

8. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar

To

The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

+1cc to M/S.J.William Christopher, Advocate SR.No. 70000
+1cc to M/S.S.Ragavendre, Advocate SR.No. 70281

Order made in
W.P.(MD) No.13625 of 2018