



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.16551 of 2018andW.M.P.(MD) No.14637 of 2018

Muniyasamy ... Petitioner
vs.

The Passport Issuing Authority,
Bharathi Ula Street,
Race Course Road,
Madurai. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorarified Mandamus calling for the records of the proceedings of the respondent in Ref.No.FCL/306617149/18, dated 17.01.2018, quash the same and consequently directing the respondent to re-open the file and re-issue passport to the petitioner in File No.MD1070091319117 within stipulated time as fixed by this Court.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondent : Mr.V.Kathivel

Assistant Solicitor General of India
assisted by Mr.C.Nandagopal

Central Government Standing Counsel

O R D E R

What is impugned in the writ petition is the closure of the application filed by the petitioner seeking for renewal of passport for himself.

2. According to the respondent, the petitioner did not disclose the pendency of the criminal case against him and therefore, he was directed to give explanation and since no explanation was forthcoming, the file came to be closed which is put to challenge in the present writ petition.

3. When the matter is taken up for hearing, the learned Counsel appearing for the petitioner would submit that the First Information Report which has been registered against the petitioner has been quashed in Crl.O.P.(MD)No.14931 of 2018 dated 27.09.2018 by this Court. In view of the quashment of the First Information Report against the petitioner, there is no legal impediment for the respondent to issue passport.



4. At this juncture, the learned Assistant Solicitor General of India appearing for the respondent would submit that the request for renewal of passport can be considered by the respondent, in case the petitioner submits a fresh application and the same will be considered within a time stipulated by this Court.

5. In view of the submissions made by the learned Counsel appearing on either side and the subsequent development as aforesaid, the petitioner is directed to submit a fresh application for renewal of passport within a period of one week from the date of receipt of a copy of this order and on such fresh application being made, the respondent shall consider the same and issue renewal of passport, if his application is otherwise in order, within a period of four weeks thereafter.

6. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-IV)

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To

The Passport Issuing Authority,
Bharathi Ula Street,
Race Course Road,
Madurai.

+2cc to Mr.RM.Arun Swaminathan, Advocate in SR No.88276

W.P. (MD) No.16551 of 2018

NM/RP/SAR IV/23.10.18/2P/4C.