

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P. No.18266 of 2019

and

W.M.P. Nos.17625 and 18693 of 2019

Ramesh Krishnan Krishnasamy

...Petitioner

Vs.

- 1.The Regional Passport Officer,
Regional Passport Office Coimbatore,
First Floor, Corporation Commercial Complex,
Opp Thandumariamman Koil,
Avinashi Road, Coimbatore - 641 018.
 - 2.The State of Tamil Nadu Rep by the
Inspector of Police,
District Crime Branch (DCB),
Erode.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st Respondent pertaining to his proceedings dated 20.06.2019 in letter reference No.SCN/308783377/2019 and quash the same to the extent of requiring the petitioner to surrender his Passport and consequently direct 1st respondent to consider the Petitioners explanation dated 19.06.2019 in accordance with law.

For Petitioner : Mr.K.S.Karthikraja

For Respondents : Mr.M.Aravind Kumar, CGSC for R1
Mr.M.Karthikeyan,
Additional Government Pleader for R2

सत्यमेव जयते
O R D E R

Heard Mr. K.S. Karthikraja, Learned Counsel for the Petitioner and Mr. M. Karthikeyan, Additional Government Pleader appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed challenging the order reference No. SCN/308783377/19 dated 20.06.2019 passed by the First Respondent and for consequential direction to consider the representation dated 19.06.2019 by the Petitioner in accordance with law.

3. The First Respondent has filed Counter Affidavit dated 09.07.2019 stating as follows:-

"I humbly submit that the Petitioner has applied for reissue of passport vide file No.CB1072126900119 dated 16.05.2019 at Passport Seva Kendra (PSK), Coimbatore with required documents and passport was issued to the Petitioner vide Passport No.Z5393932 dated 17.05.2019.

I humbly submit that the Petitioner's passport application was granted on post police verification basis. We have received an adverse police verification report from the Commissioner of Police, Tiruppur on 06.06.2019. On receipt of adverse police verification report, show cause notices had been generated by system vide No.SCN/308742689/19 dated 11.06.2019 and SCN/308783377/19 dated 20.06.2019.

I humbly submit that the Petitioner has responded for our office letter No.SCN/308742689/19 dated 11.06.2019 vide his letter dated 19.06.2019, stating that the charge sheet/final report has not been taken on file by the Jurisdiction Magistrate and because of this he did not receive any criminal summons from the Court.

On consideration of his reply to our query through his letter dated 19.06.2019 and on scrutinizing the police verification report further, it is ascertained that the reported case is still under investigation. Since, charge sheet has not been filed in the trial Court, as on the date of application, passport of the Petitioner will not be impounded. Hence, further proceedings with reference to letter No.SCN/308742689/19 dated 11.09.2019 and SCN/308783377/19 dated 20.06.2019 have already been dropped. The necessary intimation has already been conveyed to the Petitioner."

The aforesaid submissions made on behalf of the Respondents is recorded. In view of the aforesaid subsequent events, nothing survives for further adjudication in the Writ Petition.

4. Accordingly, the Writ Petition stands disposed. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

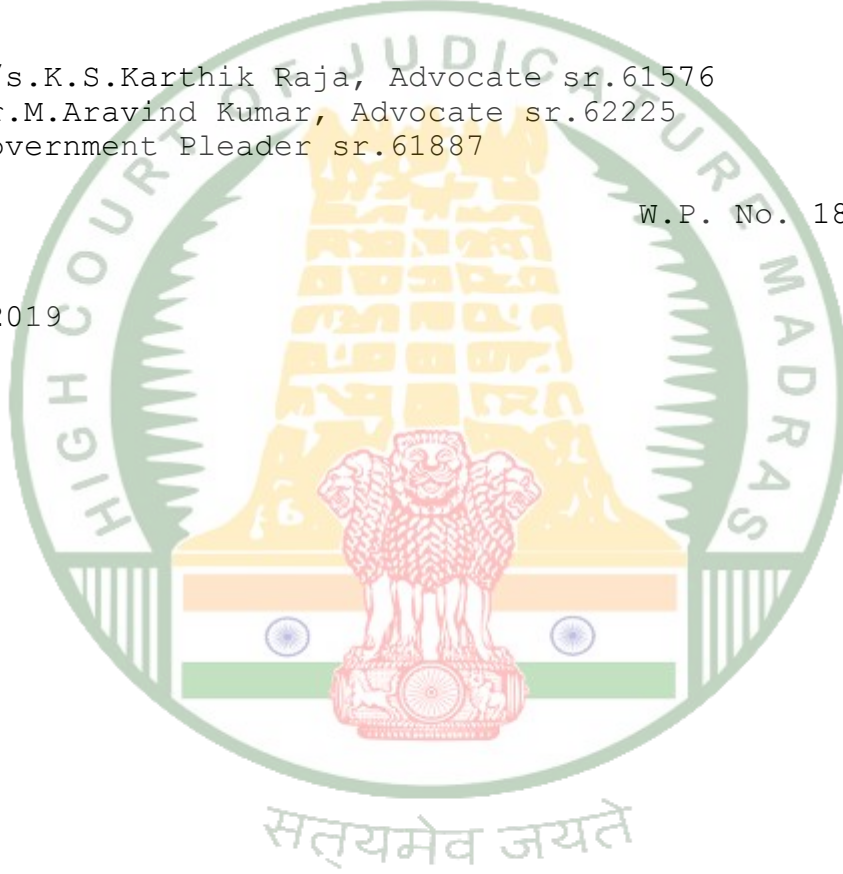
1.The Regional Passport Officer,
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2.The State of Tamil Nadu Rep by the
Inspector of Police,
District Crime Branch (DCB),
Erode.

+1cc to M/s.K.S.Karthik Raja, Advocate sr.61576
+2cc to Mr.M.Aravind Kumar, Advocate sr.62225
+1cc to Government Pleader sr.61887

W.P. No. 18266 of 2019

rr(co)
nr 10/10/2019



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