

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.17029 of 2017

R.Tamilselvan Rajagpal

...

Petitioner

Vs

1.The Passport Officer,
Regional Passport Office,
Chennai, Royala Towers,
3, IV Floor, Old No.785, New No.158,
Anna Salai, Chennai - 600 002.

2.The Sub Inspector of Police,
F-5, Marakanam Police Station (L & O),
Marakanam, Villupuram District.

... Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the first respondent to renew the petitioner's passport in vide file No.MA1079870350917, dated 06.01.2017.

For Petitioner : Mr.V.Ramanareddy

For Respondents : Mr.T.V.Krishnamachari
Central Government
Standing Counsel for R1

Mr.B.Anand
Government Advocate for R2

O R D E R

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the first respondent to renew the petitioner's passport in vide file No.MA1079870350917, dated 06.01.2017.

2. The petitioner would claim that he is a permanent resident of No.15, Mettu Street, Naravakkam, Marakkanam in Villupuram District. He obtained a passport in the year 2003 and

thereafter applied for renewal of passport on 06.01.2017. Since no order was passed, the present Writ Petition.

3. The learned counsel for the petitioner would state that there was a land dispute between the petitioner and his neighbour, which resulted in filing of criminal cases in Crime Nos.350 of 2015 and 351 of 2015. It is further contended that the Crime No.351 of 2015 has been closed as "mistake of fact" and the Crime No.350 of 2015 was closed as "matter was compromised". The learned counsel would further argue that the petitioner is ready to produce those materials before the first respondent and he may be directed to consider the application of the petitioner.

4. Per contra, learned Central Government Standing Counsel for the first respondent would argue that in view of the pendency of the criminal cases, renewal application of the petitioner was not taken up for consideration and if the petitioner produces the relevant documents for closure of criminal cases, the first respondent is ready to consider the same and pass orders in accordance with law.

5. In the light of the above submissions of the learned counsel on either side and also taking note of the prayer sought for in the Writ Petition, this Court without going into the merits of the case, directs the petitioner to produce the relevant documents before the first respondent for closure of criminal cases. On such compliance, the first respondent shall consider the renewal application of the petitioner, dated 06.01.2017 and take a decision in accordance with law within a period of four weeks therefrom.

6. With the above direction, the Writ Petition is disposed of . There is no order as to costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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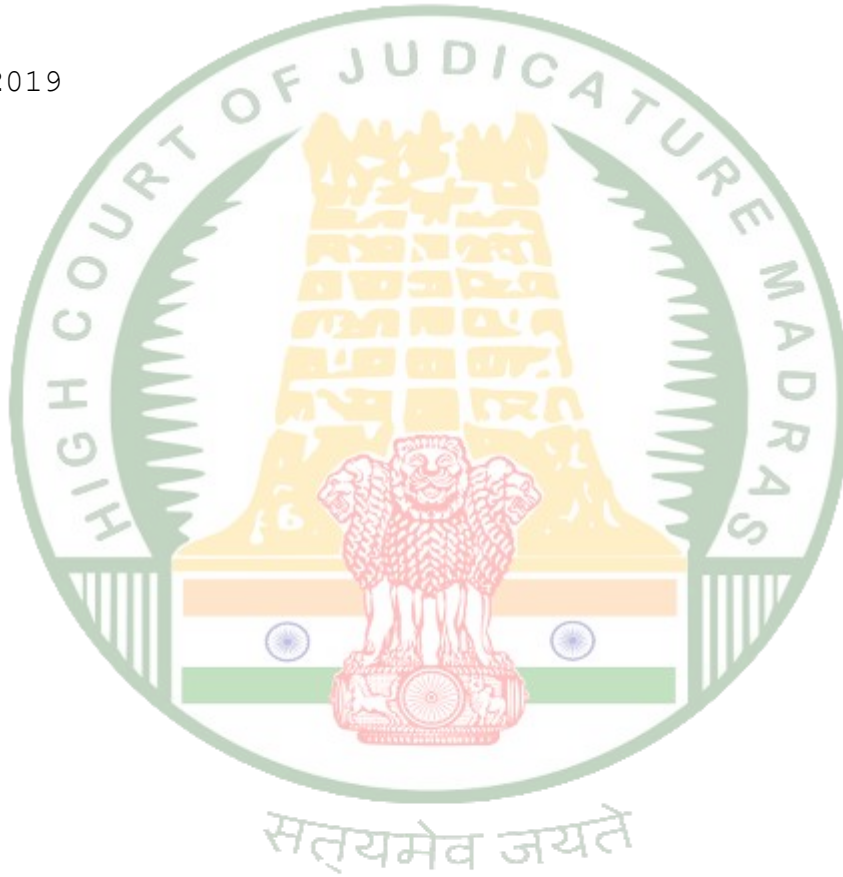
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+1cc to Mr.T.V.Krishnamachari, Advocate sr.68219
+1cc to Mr.V.Ramanareddy, Advocate sr.68184
+1cc to Government Pleader sr.68458

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