



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.14589 of 2019

WEB COPY

G.Jeevanandam

... Petitioner

-Vs-

1.The Regional Passport Officer,
Regional Passport Office,
Tiruchirapalli Municipal Water
Tank Building, W.B.Road, Tiruchirapalli,
Trichy District.

2.The Sub-Inspector of Police,
Velayuthampalayam Police Station,
Karur District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to entertain the Passport Application Number TR-201865171319 and issue a passport within the stipulated period.

For Petitioner : Mr.M.Jothibas

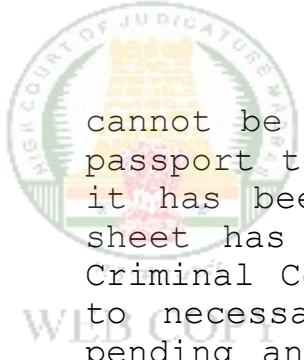
For Respondents : Mr.V.Kathirvelu, ASG, assisted by
Mr.Vempadiyan, CGSC for R1
Mr.P.Kannidevan, AGP for R2

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 1st respondent to entertain the Passport Application Number TR-201865171319 and issue a passport within the stipulated period.

2.Heard Mr.S.M.Jothibas, learned counsel appearing for the petitioner and Mr.V.Kathirvelu, learned Assistant Solicitor General of India, assisted by Mr.Vempadiyan, learned Central Government Standing Counsel appearing for the respondent No.1 and Mr.P.Kannithevan, learned Additional Government Pleader appearing for the respondent No.2.

3.The learned Assistant Solicitor General of India appearing for the 1st respondent would submit that, when the application submitted by the petitioner for giving passport was considered, it was brought to the notice of the 1st respondent that, an FIR was pending against the petitioner. Therefore, the application was not immediately considered. However, the pendency of the FIR



cannot be the reason for withholding the application for issuing passport to the petitioner. But, at the same time, subsequently, it has been revealed that in the pending criminal case, charge sheet has been filed by the 2nd respondent before the concerned Criminal Court and in that view of the matter, the petitioner has to necessarily approach the Court, where the criminal case is pending and to file an appropriate application therein and after getting necessary orders from the Criminal Court, based on the said order, the application submitted by the petitioner would be considered.

4. In view of the stand taken by the 1st respondent, the learned counsel appearing for the petitioner would submit that the petitioner would approach the concerned Criminal Court by filing an appropriate application.

5. In view of the stand taken by both sides, with the consent of both sides, this Court is inclined to dismiss the writ petition, at the admission itself, with the following observation:

"The submission made by the learned counsel appearing for the petitioner to approach the concerned Criminal Court by filing an appropriate application to get necessary orders is hereby recorded."

6. In view of the same, no order can be passed in this writ petition as sought for by the petitioner. Hence, this writ petition is dismissed with the aforesaid observation. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)

To

The Sub-Inspector of Police, Velayuthampalayam Police Station,
Karur District.

+1CC to M/s.P.VAMBADIAN, Advocate (SR-72645[F] dated 02/07/2019)

+1CC to M/s.G.M.LAW OFFICE, Advocate (SR-72677[F] dated 02/07/2019)

+1 CC to M/s.SPL GP (SR-72916[F] dated 02/07/2019)

TS(17.07.2019) 2P 5C