



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.1543 of 2019

Dr.Murugesan Karuppan

... Petitioner

Vs

The Regional Passport Officer,
Regional Passport Office,
Ministry of External Affairs,
Tiruchy - 620 008.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the respondent dated 07.12.2017 in File No.TR2069633232916 and quash the same and consequently direct the respondent to issue passport to the petitioner.

For Petitioner : Mr.A.John Vincent

For Respondent : Mr.K.Ashok Kumar Ram

ORDER

Heard the learned counsel on either side.

2.The writ petitioner is a medical professional. He applied for issuance of passport. It appears that the petitioner did not take any follow-up steps. As a result his file got closed. The petitioner was informed about the closure of the application vide communication dated 17.02.2017. The said communication is questioned in this writ petition.

3.I am of the view that there is no need to quash the impugned communication. Instead the petitioner is permitted to file a fresh application for issuance of passport before the respondent.

4.The learned counsel for the petitioner states that he has filed a case in C.C.No.118 of 2015 on the file the learned Judicial Magistrate, Manapparai and the said case ended in acquittal. Of course one other case is pending against the



petitioner and it is only at the FIR stage. It is well settled that pendency of a criminal case at the FIR stage is not a bar or impediment for issuance of passport. Therefore, the petitioner is permitted to submit a fresh application and the respondent is directed to issue passport to the petitioner subject to the fulfillment of all the other formalities.

5.The writ petition stands allowed accordingly. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To:

The Regional Passport Officer,
Regional Passport Office,
Ministry of External Affairs,
Tiruchy - 620 008.

+1 CC to Mr.K.ASOK KUMAR RAM, Advocate (SR-58987[F] dated
04/04/2019)

+1 CC to Mr.A.JOHN VINCENT, Advocate (SR-59149[F] dated
05/04/2019)

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