



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04.03.2019

CORAM :

WEB COPY

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

W.P (MD) No.4031 of 2019

X.Robinson Antony

... Petitioner

Vs.

1.The Regional Passport Officer,
Madurai Region,
Bharathi Ula Veethi,
Race Course Road,
Madurai 625 002.

2.The Inspector of Police,
Panakudi Police Station,
Tirunelveli District.

... Respondents

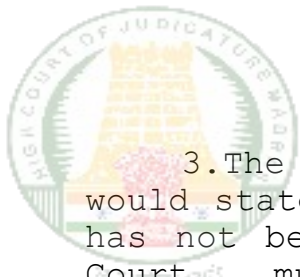
PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the first respondent to issue a passport to the petitioner by considering the petitioner's passport application vide file No.MD2061824354119 dated 24.01.2019 within a stipulated period as prescribed by this Court.

For Petitioner : Mr.S.Balaji
For R1 : Mr.V.Kathirvelu
Assistant Solicitor General
for Mr.K.Prabhu
Central Government Standing Counsel
For R2 : Mr.M.Karuppasamy
Government Advocate

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Assistant Solicitor General appearing for the first respondent and the learned Government Advocate appearing for the second respondent.

2.The petitioner's request is for issuance of his passport. However, the same has not been considered because the petitioner is involved in a criminal case. It is well settled that pendency of a criminal case at the F.I.R stage cannot be a ground for declining to issue or re-issue the passport.



3.The learned Government Advocate appearing for the Police would state that the police have filed a final report but the same has not been taken on file by the jurisdictional Magistrate. This Court must hold that as on date, the petitioner is not disqualified for re-issuance of the passport.

4.The learned Assistant Solicitor General would state that the petitioner will have to fulfill other formalities and that on this ground, the petitioner's case would not be negatived.

5.Recording the said submission, this Court directs the first respondent to re-issue the petitioner's passport subject to the fulfillment of other formalities. The said exercise shall be concluded within a period of four weeks from the date of receipt of a copy of this order.

6.The writ petition stands allowed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

rmk

To

1.The Regional Passport Officer,
Madurai Region,
Bharathi Ula Veethi,
Race Course Road,
Madurai 625 002.

2.The Inspector of Police,
Panakudi Police Station,
Tirunelveli District.

+1 CC to M/s.S.BALAJI, Advocate (SR-51406[F] dated 04/03/2019)

+1 CC to M/s.SPL GP (SR-51737[F] dated 05/03/2019)

+1 CC to M/s.K.PRABHU, Advocate (SR-51624[F] dated 05/03/2019)

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DS/ /SAR- (03.04.2019) 2P 6C