



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 4972 of 2019

WEB COPY

K.Ramanathan

... Petitioner

Vs

1.The Regional Passport Officer,
The Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai-2.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

3.The Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.

... Respondents

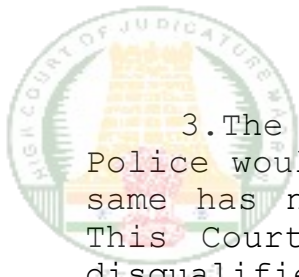
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent to issue passport to the petitioner pursuant to the petitioner's application No.MDOC5080546918 (Passport No.S6971663) dated 31.10.2018 by consider on the basis of the petitioner's representation dated 06.02.2019 within the time framed as may be stipulated by this Court.

For Petitioner : Mr.K.M.Karunakaran
For R1 : Mr.V.Kathirvelu
Assistant Solicitor General
assisted by Mr.K.Sankar Narayan
For R2 & R3 :Mr.K.MU.Muthu
Additional Government Pleader

ORDER

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

2.The petitioner's request is for issuance of his passport. However, the same has not been considered because the petitioner 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 Additional Government Pleader 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 (CS II)

// True Copy //

Sub Assistant Registrar

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To

- 1.The Regional Passport Officer,
The Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai-2.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
- 3.The Inspector of Police,
Devakottai Town Police Station,
Devakottai, Sivagangai District.

+2CC to Mr.K.SANKARA RAMAN , Advocate SR.No.51288.

+1CC to Mr.S.K.M.KARUNAKARAN , Advocate SR.No.51541.

+1CC to The Special Government Pleader SR.No. 51960

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