



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 7387 of 2019

and

W.M.P. (MD) No. 5904 of 2019

Balasankar

... Petitioner

Vs

1. The Regional Passport Officer,
Office of the Regional Passport Officer,
Bharathi Ula Veethi, Race Course Road,
Madurai-625 002.

2. The Sub Inspector of Police,
Paramakudi Taluk Police Station,
Paramakudi,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the impugned order passed by first respondent in his proceedings in 1600025 CPC MDU dated 19.10.2016 and 26.11.2018 and quash the same and consequently direct the first respondent to issue/renew the passport of the petitioner in pursuant the Application No. MD1079687680716 dated 03.01.2014.

For Petitioner : Mr. N. Sathis Babu

For 1st Respondent : Mr. A. Srinivasan

For 2nd Respondent : Mr. M. Rajarajan
Government Advocate

ORDER

Heard the learned counsel on either side. By consent of both parties this writ petition is taken up for final disposal at the admission stage itself.

2. The writ petitioner was issued with the passport in the year 2001 and its validity expired during the year 2011. The petitioner wants re-issuance of the passport. But in view of the pendency of the criminal case against the writ petitioner, the first respondent is not issuing the passport. This Court notes that the case is not a serious one. In any event the petitioner wants issuance of passport only to undertake a short term business travel to Overseas. Therefore, I am of the view that it may not be necessary for the petitioner to move concerned criminal Court for getting permission. However, in view of the pendency of the criminal case, the first respondent is directed to issue passport in favour of the writ petitioner for a period of two years subject to the writ petitioner

fulfills of the other formalities.

3. In view of the above, the writ petition stands allowed and the impugned proceedings are hereby quashed and the first respondent shall issue passport within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar (CS I)

vsg

To

1. The Regional Passport Officer,
Office of the Regional Passport Officer,
Bharathi Ula Veethi, Race Course Road,
Madurai-625 002.

2. The Sub Inspector of Police,
Paramakudi Taluk Police Station,
Paramakudi, Ramanathapuram District.

+1 CC to M/s. N. SATHISH BABU, Advocate (SR-57512[F]
dated 28/03/2019)

+1 CC to M/s. SPL GP (SR-57728[F] dated 29/03/2019)

+1 CC to M/s. A. SRINIVASAN, Advocate (SR-58008[F] dated 01/04/2019)

W.P. (MD) No. 7387 of 2019

and

W.M.P. (MD) .No. 5904 of 2019

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DS/ /SAR- (15.04.2019) 2P 6C