



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P. (MD) No.8335 of 2019

and

W.M.P. (MD) Nos.6530 of 2019

Pala.Thirumurugan

... Petitioner

Vs

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

2.The Inspector of Police,
Vadakadu Police Station,
Alangudi Taluk,
Pudukottai District.

... Respondents

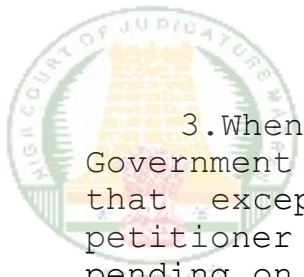
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records connected with the impugned notice in OBJ/308378171/19 dated 11.03.2019 on the file of the respondent No.1 and quash the same as illegal and consequently direct the respondent No.1 to consider the petitioner's application and issue a passport, in accordance with law.

For Petitioner	: Mr.R.Alagumani
For R1	: Mr.V.Kathirvelu Assistant Solicitor General for Mr.K.Kuthalanathan CGSC
For R2	: Mr.K.Mu.Muthu, Additional Government Pleader

ORDER

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

2.The petitioner seeks issuance of a passport. But the petitioner's request has not been favourably considered till date, since a criminal case was said to be pending against the writ petitioner. It was further noted that the petitioner is a history sheeter. Therefore, the impugned communication dated 11.03.2019 came to be issued. Questioning the same, this writ petition has been filed.



3. When the matter was taken up for hearing, the learned Government Advocate appearing for the second respondent submitted that except one case, all the other cases against the writ petitioner have been closed. As on date, Crime No.63 of 2018 is pending on the file of Ammapettai Police Station, Salem. It is not in dispute that it is pending only at the First Information Report stage. Therefore, there cannot be any impediment for issuance of passport.

4. Since the facts regarding the petitioner have come to light, merely because his name has been included in a history sheet that cannot be a ground for declining to issue passport. It is also seen that all other formalities have already been concluded.

5. Therefore, the first respondent shall issue passport to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl.side)

/TRUE COPY/

Sub Assistant Registrar(CS)

To:

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

2. The Inspector of Police,
Vadakadu Police Station,
Alangudi Taluk,
Pudukottai District.

+1 CC to M/s.K.KUTTALANATHAN, Advocate (SR-64783[F] dated 02/05/2019)

+1 CC to M/s.SPL GP (SR-65014[F] dated 02/05/2019)

W.P. (MD) No.8335 of 2019

and

W.M.P. (MD) Nos.6530 of 2019

CS:17/05/2019/2P/5C