



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.9699 of 2019

I.Jegan

... Petitioner

Vs.

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

2.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to re-issue the passport to the petitioner by considering his passport application in File No.MD2071617833718 within the stipulated period as prescribed by this Court.

For Petitioner : Mr.S.Balaji

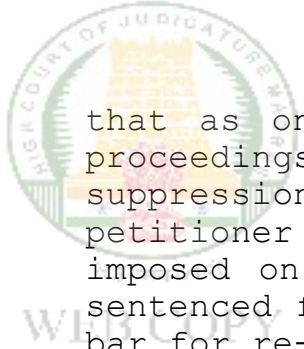
For R-1 : Mr.V.Kathirvelu,
Assistant Solicitor General,
assisted by,
M/s.Raghaventhre,
Central Government Standing Counsel.

For R-2 : Mr.K.Mu.Muthu,
Additional Government Pleader.

O R D E R

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

2. The Writ petitioner had applied for re-issuance of passport. But his application has been kept pending. It appears that the petitioner suffered a conviction in the year 2017. The application for re-issuance of passport was made in the year 2018. It is true



that as on date of making an application, there was no criminal proceedings pending against the petitioner. Thus, there is no suppression on the part of the petitioner. Even though the petitioner was convicted in the criminal case, only a fine was imposed on him. It is not the case of the respondent that he was sentenced for a period of two years or more. Therefore, there is no bar for re-issuance of passport in favour of the petitioner.

3. Taking note of all these aspects, the first respondent is directed to re-issue the passport to the petitioner subject to fulfillment of all the other formalities. This exercise shall be done within a period of four weeks from the date of receipt of a copy of this order.

4. The Writ petition stands allowed, accordingly. No costs.

Sd/-

Assistant Registrar(Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.

+1 CC to M/s.S.BALAJI, Advocate in SR-62060
+1 CC to M/s.S.RAGAVENTHRE, Advocate in SR-62030
+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.62741

W.P. (MD) No.9699 of 2019
24.04.2019

pmu
PK/KK/10.05.2019 : 2P/6C