



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

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

W.P. (MD) No.22332 of 2018

A.Mohamed Jaffer

... Petitioner

Vs

1.The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road, Tiruchirapalli-620 008.

2.The Inspector of Police,
Manamelkudi Police Station,
Pudukottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, direct the first respondent to consider the petitioner's explanation dated 26.07.2018 submitted to the first respondent and drop further impounding of passport proceedings.

For Petitioner	: Mr.A.John Vincent for M/s.A.Jayaramachandran
For R1	: Mr.S.Ragaventhre
For R2	: Mr.M.Karuppasamy Government Advocate

ORDER

The petitioner was issued with a passport in the year 2008. It expired on 31.07.2018. Thereafter, the same was renewed for a period of ten more years. But when seeking renewal, the petitioner did not disclose the pendency of Crime No.17 of 2017 on the file of the Manamelkudi Police Station. When the said fact came to light, the first respondent issued the show cause notice dated 03.07.2018 calling upon the petitioner to furnish proper explanation with regard to the circumstances leading to suppression of the said information. The petitioner has since submitted his reply. Final orders are yet to be passed. At this stage, this writ petition has been filed.

2. It is true that there has been a suppression of material fact by the writ petitioner. But then pendency of the case at the FIR stage is not a bar or impediment for issuing or reissuing the passport. It is further seen that the FIR registered against the petitioner is not of serious nature. Therefore, the first respondent is directed to take a sympathetic view of the matter and close the issue.



3. The Writ Petition is allowed on these terms. No costs.

Sd/-

Assistant Registrar (Writs)

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// True Copy //

Sub Assistant Registrar (CS)

rmk

To

1. The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road, Tiruchirapalli-620 008.

2. The Inspector of Police,
Manamelkudi Police Station,
Pudukottai District.

+1CC TO MR.S.RAGAVENTHRE, Advocate Sr. No.59067

+1CC TO MR.A.JAYARAMACHANDRAN, Advocate Sr. No.59173

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 59291

W.P. (MD) No.22332 of 2018

04.04.2019

TR (25.04.2019) 2P 6C