



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P(MD) No.22537 of 2019

P.Tamilselvi

... Petitioner

vs.

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

2.The Inspector of Police,
Saptur Police Station,
Saptur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to release the passport bearing No.G9036167.

For Petitioner : Mr.R.Saravanan

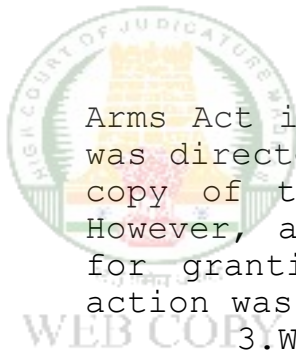
For R1 : Mr.V.Kathirvelu
Assistant Solicitor General
assisted by Mr.A.Srinivasan

For R2 : Mr.P.Bhagavathi
Government Advocate

O R D E R

Mr.V.Kathirvelu, learned Assistant Solicitor General of India, takes notice on behalf of the first respondent and Mr.P.Bhagavathi, learned Government Advocate takes notice on behalf of the second respondent. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner is a holder of passport bearing No.G9036167, issued by the first respondent. The passport expired on 24.07.2018. Therefore, she made an application for renewal. The first respondent, by his letter dated 05.04.2018, informed that the application is kept on hold due to revocation of passport and that an FIR in Crime No.17/2018 for the offence under Sections 147, 148, 324, 307, 309 IPC and under Section 3 of TNPPDS Act r/w 27(1) of



Arms Act is pending against the petitioner. Further, the petitioner was directed to appear for personal hearing. Since she could not get copy of the proceedings in C.A.No.232/2018, she did not appear. However, after knowing the fact that pendency of FIR is not a bar for granting passport, she approached the authorities. Since no action was taken, the present writ petition came to be filed.

3. When the matter is taken up for admission, the learned Assistant Solicitor General of India, would submit that since the petitioner did not appear before the authorities for personal hearing within the date specified, her passport was closed. If at all she wants to obtain passport, she has to apply afresh.

4. Considering the facts and circumstances, if the petitioner wants a fresh passport, she can make an application to the first respondent in this regard. It is made clear that pendency of FIR is not a bar for issuing passport. Therefore, a direction is issued to the first respondent to process the passport application, if any, filed by the petitioner, within a period of four weeks from the date of submission of such application.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

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To

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

2. The Inspector of Police,
Saptur Police Station, Saptur.

+1 CC to M/s.A.SRINIVASAN, Advocate (SR-94288[F] dated 24/10/2019)
+1 CC to M/s.R.SARAVANAN, Advocate (SR-94166[F] dated 24/10/2019)
+1 CC to M/s.SPL GP (SR-94671[F] dated 25/10/2019)

W.P(MD) No.22537 of 2019
24.10.2019

JMN(06.11.2019) 2P : 6C