



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

W.P. (MD).No.24647 of 2019

Veerakumar

.. Petitioner

Vs.

1.The Regional Passport Office,
O/o. Regional Passport Office,
Trichy District.

2.The Inspector of Police,
Prohibition & Enforcement Wing,
Trichy.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, to direct the 1st respondent to reissue the Passport No.Z3693194 to the petitioner.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.V.Kathirvelu, Senior counsel for
Mr.V.Malayendran for R1
Mr.J.Gunaseela Muthaiah for R2
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of Writ of Mandamus to direct the 1st respondent to reissue the Passport No.Z3693194 to the petitioner.

2.The petitioner has applied for re-issuance of Passport in Passport No.Z369319, having the validity till 26.03.2027. The respondents have directed him to appear for verification on 01.10.2019, wherein he was informed that a Criminal case in Crime No.150 of 2017 is pending against him, that is why the Passport cannot be issued to him. Aggrieved over the same, the petitioner is before this Court.

3.The learned Additional Government Pleader would submit that an FIR is pending in Crime No.150 of 2017 against the petitioner and even though charge sheet was presented before the concerned Judicial Magistrate Court, it was not taken on file till date.



4.Considered the submissions on both sides. It is well settled that pendency of an FIR is not a bar for issuance of a Passport. Therefore, the first respondent is directed to re-issue the Passport as claimed by the petitioner within a period of four weeks from the date of receipt of a copy of this order. In the event of second verification, if it is found that the charge sheet is taken on file, the petitioner has to approach the concerned Judicial Magistrate for getting appropriate orders.

4.With the above directions, this writ petition is allowed.
No costs.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar(CS)

TM

To

1.The Regional Passport Office,
O/o. Regional Passport Office,
Trichy District.

2.The Inspector of Police,
Prohibition & Enforcement Wing,
Trichy.

+1 CC to Mr.P.GANAPATHI SUBRAMANIAN, Advocate (SR-101082[F] dated 25/11/2019)

+1 CC to Mr.V. MALAIYENDRAN, Advocate (SR-101238[F] dated 26/11/2019)

+1 CC to SPL GP (SR-101481[F] dated 26/11/2019)

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