



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P (MD) No.24553 of 2019

Kitherian Antony

.. Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Madurai - 625 002.

2.The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to release the impounded Pass Port of the petitioner bearing No.S1989317.

For Petitioner : Mr.K.Rajeshwaran
For R1 : Mr.V.Kathirvelu
Assistant Solicitor General of India
assisted by Mrs.Deepa
For R2 : Mrs.J.Padmavathi Devi
Special Government Pleader

ORDER

The petitioner was issued with a passport and went abroad on avocation. When he came down to India, his passport bearing No.S1989317 was impounded on the ground of pendency of criminal case against him. According to the petitioner, pendency of an FIR is not a bar and the passport should not have been impounded.

2.Mr.V.Kathirvelu, learned Assistant Solicitor General of India, took notice on behalf of the first respondent and submitted that inspite of giving several opportunities, the petitioner has not appeared before the first respondent and explained the reason with regard to the status of criminal case and also the other discrepancies raised by the respondents.



3. Considering the facts and circumstances of the case, a direction is given to the petitioner to appear before the first respondent for enquiry and submit all the explanations. On appearance of the petitioner and clarification received from him, if satisfied, the first respondent shall release the passport or pass appropriate orders in accordance with law setting out the reasons, within a period of four weeks from the date of appearance of the petitioner, enabling him to take up the matter further.

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

Sd/-

Assistant Registrar()

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Madurai - 625 002.

2. The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.

+1CC TO MR.K.RAJESHWARAN, Advocate Sr. No. 100258
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 100357

W.P. (MD) No. 24553 of 2019
20.11.2019

SGS (CO)
TR(06.12.2019) 2P 5C