



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.2986 of 2020

WEB COPY

Thalavai

... Petitioner

Vs.

1.The Passport Officer,
Bharathi Ula Veethi,
Race Course Road,Madurai.

2.The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the first respondent to re-issue passport to the Petitioner in Passport No.U2252217 considering the order passed by this Court in CRL.O.P (MD)No.15081 of 2019, dated 18.11.2019.

For Petitioner : Mr.R.Balakrishnan
For Respondent-1 : Mr.V.Kathirvelu,
Asst. Solicitor General
assisted by Mrs.Raghaventhree
Central Govt.Standing Counsel
For Respondent-2 : Mr.M.Pandiarajan
Addl.Govt.Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent to re-issue passport to the Petitioner in Passport No.U2252217 considering the order passed by this Court in CRL.O.P(MD)No.15081 of 2019, dated 18.11.2019.

2.Mr.V.Kathirvelu, learned Assistant Solicitor General(assisted by Mrs.Raghaventhree, learned Central Government Standing Counsel) takes notice on behalf of the first respondent and Mr.M.Pandiarajan, learned Additional Government Pleader takes notice on behalf of the second respondent.

3.By consent of parties, the main Writ Petition is taken up for final disposal.

4.There was an FIR registered against the Petitioner in Crime No.237 of 2019 for the offence punishable under Sections 153-A, 505 (2) and 171(G) of the Indian Penal Code and Section 4AA(4) of the Tamil Nadu Open Places(Prevention of Disfigurement)Act, 1959. Based on the same, a Surrender Certificate was issued by the first respondent. Subsequently the FIR was quashed by this Court in Crl.O.P(MD)No.15081 by order dated 18.11.2019. Therefore, there is no impediment for the first respondent to reissue the passport to



the petitioner.

5.The learned Assistant Solicitor General appearing for the respondents would fairly concede that they would return the passport to the Petitioner. The said submission is recorded.

6.In view of the above submission, it is left open to the Petitioner to approach the first respondent to reissue the passport to him, at the earliest point of time.

7.With the above observation,the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

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/ /2020

Sub Assistant Registrar(CS)

vsn

To

1.The Passport Officer,
Bharathi Ula Veethi,
Race Course Road,Madurai.

2.The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

+1 CC to M/s.R.BALAKRISHNAN, Advocate (SR-6295[F]
+1 CC to M/s.SPL.GP (SR-6593[F] dated 17/02/2020)

ORDER MADE IN

W.P(MD)No.2986 of 2020

14.02.2020

SMA/26/02/2020/2P/5C