



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5035 of 2020

Rajadurai

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai 625002.

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District 630606.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to issuance a passport based upon the petitioner's passport application in file No.MD 1062550005319, dated 29.10.2019 within a stipulated time that may be fixed by this Court.

For Petitioner	: Mr.R.Senthilkumar
For R1	: Mr.R.Rajaraman
For R2	: Mr.S.Angappan
	Government Advocate

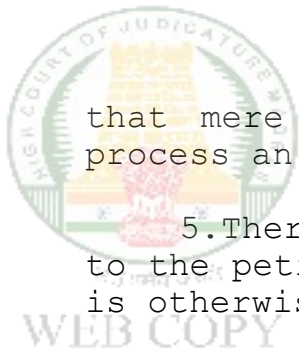
O R D E R

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the first respondent and the learned Government Advocate appearing for the second respondent.

2.The petitioner had applied to the first respondent seeking issuance of passport. The first respondent had not sofar processed the same.

3.The learned Standing Counsel informs the Court that the petitioner had not disclosed the pendency of a criminal case against him. This Court wanted to know the veracity of the said statement. This Court also wanted to know if the case had culminated into a calender case.

4.When the matter was taken up for hearing, the learned Government Advocate appearing for the second respondent states that the criminal case registered against the petitioner is still pending at the FIR stage. Charge sheet has not been filed. It is a case registered for illegal transportation of sand. It is well settled



that mere pendency of a FIR is not a ground for declining to process an application for issuance of passport.

5. Therefore, the first respondent is directed to issue passport to the petitioner based on the petition mentioned application, if it is otherwise in order. The writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai 625002.

2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District 630606.

+1 CC to M/s.R. RAJARAMAN, Advocate (SR-16600[F] dated 11/09/2020)

+1 CC to M/s.SPL GP (SR-16671[F] dated 11/09/2020)

W.P. (MD)No.5035 of 2020
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