



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2020

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.15363 of 2020
(Through Video Conference)

WEB COPY

Habeeb Mohamed

... Petitioner

Vs.

1) The Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road,
Trichy 620 008

2) The Superintendent of Police,
District police Office,
Thanjavur District.

3) The Inspector of Police,
Papanasam Police Station,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the first respondent to issue Jumbo Passport by exhaustion of pages in Petitioner's Passport bearing No. K4616280 dated 06.02.2012 by considering his application in File No.TR1072839253520 dated 11.02.2020 within a time frame fixed by this Court.

For Petitioner : Mr.A.Syed Abdul Kather

For R-1 : Mr.K.R.Laxman,
Senior Panel Counsel

For RR2 &3 : Mr.M.Rajarajan,
Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to issue Jumbo Passport to the petitioner in respect of his passport bearing No. K4616280 by considering the petitioner's application dated 11.02.2020 within a time frame to be fixed by this Court.

2. This writ petition came up for admission on 05.11.2020. Mr.K.R.Laxman, learned senior panel counsel for Union of India, accepted notice on behalf of the first respondent and Mr.M.Rajarajan, learned Additional Government Pleader accepted



notice on behalf of respondents 2 & 3 and both of them sought time to get instructions. Thereafter, it was listed before this Court today.

3. Mr.K.R.Laxman, learned Central Government Standing counsel for the first respondent would submit on instructions that on 06.11.2020, the first respondent has addressed a letter to the second respondent requesting him as to the present status of the F.I.R. registered against the petitioner.

4. Mr.M.Rajarajan, learned Additional Government Pleader appearing for the respondents 2 & 3 would submit that, till date, no charge sheet has been registered against the petitioner and that the complaint lodged against the petitioner is only in the F.I.R. Stage.

5. Mr.K.R.Laxman, learned senior panel counsel for the Union of India would further submit on instructions that the first respondent is ready to consider the application of the petitioner on merits and in accordance with law, if no charge sheet has been filed against him.

6. In view of the fact that charge sheet has not been filed against the petitioner till date, the first respondent will have to consider the petitioner's application for issuance of Jumbo Passport in his name and pass final orders on merits and in accordance with law.

7. For the foregoing reasons, this Court directs the first respondent to consider the petitioner's application dated 11.02.2020 (application seeking for issuance of Jumbo Passport) and pass final orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

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 Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road, Trichy 620 008

2) The Superintendent of Police,
District police Office,
Thanjavur District.

3) The Inspector of Police,
Papanasam Police Station,
Thanjavur District.

+1 CC to Special Government Pleader SR.No.25138.

Order made in

W.P(MD) .No.15363 of 2020

(TP)CO

AP(06/01/2021) 3P 5C