



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.10755 of 2020

Ajith Kumar Balusamy

... Petitioner

Vs.

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

2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

3.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.

... 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 issue passport to the petitioner in File No.MD01C5004150520.

For Petitioner	: Mr.K.Navaneetharaja
For 1st Respondent	: Mr.V.Malaiyendran Central Government Standing Counsel
For 2nd Respondent	: Mr.S.Angappan, Government Advocate

O R D E R

Heard the learned counsel on either side.

2.The petitioner wants issuance of passport. The petitioner had given an application in this regard. But then an adverse report was received against the petitioner. Therefore, this writ petition came to be filed.

3.When the matter was taken up for hearing, the learned counsel appearing for the third respondent submitted that a criminal case is pending against the petitioner at the FIR stage. It is not the case of the third respondent that the investigation is over or the final report has been taken on file. It has been held in number of decisions that pendency of a criminal case at the FIR stage is



not a ground to withhold the issuance of the passport. Therefore, the first respondent is directed to issue passport to the petitioner, subject to fulfilment of the other formalities and eligibility requirements.

4. This Writ Petition is allowed on these terms. No costs.

Sd/-

Assistant Registrar (Crl Side)

// 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 Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai.
- 2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 3.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.

+1 CC to M/s.GP (SR-18213[F] dated 28/09/2020), (SR-18237[F] dated 28/09/2020)

W.P.(MD)No.10755 of 2020

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KG (CO)

KK(13.10.2020) 2P 5C