



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.11429 of 2020

Jamaludeen

... Petitioner

Vs.

1.The Inspector General of Police,
Trichy.

2.The Regional Passport Officer,
Municipal Water Tank Building,
W.B.Road,
Tiruchirappalli-620 008.

3.The Inspector of Police,
V.Kalathur Police Station,
Perambalur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to directing the respondents to renew the petitioner's passport in P.No.Z1795941 based on the application for renewal of passport made by the petitioner dated 19.12.2019.

For Petitioner : Mr.S.Doraisamy

For R1 & R3 : Mr.M.Rajarajan
Additional Government Pleader

For R2 : Mr.M.Karthikeya Venkatachalapathy

O R D E R

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for R2 and the learned Additional Government Pleader appearing for R1 and R3.

2.The petitioner seeks renewal of the passport. The same is not being processed.

3.The stand of the second respondent is that the petitioner has been shown to have been involved in a criminal case. But the petitioner would state that there is a name confusion and that he is not the person who has actually been implicated as an accused in Crime No.201 of 2018 registered on the file of the third respondent.



4. Be that as it may, the fact remains that as on date, the case is still pending at the FIR stage. It is yet to culminate into a calender case. Therefore, there cannot be any objection for the second respondent to process the petitioner's application.

5. Therefore, I direct the second respondent to renew the petitioner's passport subject to fulfilment of other formalities.

6. At this stage, the learned Standing Counsel appearing for the passport authority states that they are yet to receive any report from the third respondent. But before this Court, the third respondent through the learned Additional Government Pleader had made a statement that the case against the petitioner is still pending at the FIR stage. Therefore, it is not necessary for the second respondent to formally wait for reception of a report of the third respondent. The second respondent can very well act on the direction given by this Court. Therefore, I direct the second respondent to renew the petitioner's passport subject to petitioner fulfilling the other legal requirements. The Writ Petition is allowed. No costs.

Sd/-

Assistant Registrar (CS-III)

// 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 Inspector General of Police,
Trichy.

2. The Regional Passport Officer,
Municipal Water Tank Building,
W.B.Road,
Tiruchirappalli-62008.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Inspector of Police,
V.Kalathur Police Station,
Perambalur District.

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+1 CC to SGP (SR-16775[F] dated 14/09/2020)

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NR (18.09.2020) 3P 5C