



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2020

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THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.13682 of 2020

R.Rakesh

: Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi, Race Course Road,
Madurai-625 002.

2.The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.

: Respondents

RAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the 1st respondent to process the petitioner's Passport application pending on the file of the first respondent in No.MD2062186870519, dated 10.06.2019 and consequently, to direct the 1st respondent to issue the passport to the petitioner by considering the petitioner's representation, dated 12.03.2020 within the stipulated time by this Court.

For Petitioner :Mr.S.T.Sasidharan Tamil Kani

For R1 :Mr.Sampath Kumar
Central Government Standing Counsel

For R2 :Mr.C.Ramar
Additional Government Pleader

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to process the petitioner's Passport application, dated 10.06.2019 and consequently, to direct the first respondent to issue passport to the petitioner by considering the representation of the petitioner, dated 12.03.2020 within a time frame fixed by this Court.



2.Heard Mr.S.T.Sasidharan Tamil Kani, learned Counsel appearing for the petitioner, Mr.S.Sampath Kumar, learned Central Government Standing Counsel appearing for the 1st respondent and Mr.C.Ramar, learned Additional Government Pleader appearing for the 2nd respondent.

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3.It is the contention of the petitioner that he applied for passport with the first respondent on 10.06.2019. According to him, till date his passport application has not been processed by the first respondent. In such circumstances, he has filed this Writ Petition.

4.Mr.C.Ramar, learned Additional Government Pleader, on instructions, would submit that charge sheet has already been filed against the petitioner and the Court has taken cognizance of the same and the case is now pending on the file of the Judicial Magistrate Court, Radhapuram as C.C.No.1522 of 2020. Therefore, a positive direction as sought for by the petitioner cannot be granted by this Court. It is for the first respondent to consider whether the petitioner is entitled for issuance of passport or not. The petitioner has given a representation on 12.03.2020 to consider his passport application dated 10.06.2019. No prejudice will be caused to the first respondent, if the said representation is considered by the first respondent on merits and in accordance with law.

5.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representation, dated 12.03.2020 with regard to his passport application, dated 10.06.2019 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. However, there is no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cmr

To

1.The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.



2. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi, Race Course Road,
Madurai-625 002.

+1 CC to M/s.SU. SAMPATH KUMAR, Advocate (SR-19948[F] dated
13/10/2020)

+1 CC to SGP (SR-19890[F] dated 13/10/2020)

Order made in
W.P. (MD) No.13682 of 2020

12.10.2020

SS (CO)

NR (22/10/2020) 3P : 5C