



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.9312 of 2018

and

W.M.P. (MD)No.8620 of 2018

H.Shahul Hameed

...Petitioner

-Vs-

1.The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road, Tiruchirappalli,
Tamil Nadu-620008.

2.The Inspector of Police,
Adirampattinam Police Station,
Adirampattinam, Pattukottai Taluk,
Thanjavur District-614 701.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the first respondent to issue passport to the petitioner, within a time period stipulated by this Court.

For Petitioner	: Mr.T.Lajapathi Roy
For R1	: Mr.I.Irulappan, Standing Counsel
For R2	: Mr.K.P.Krishnadoss, Special Government Pleader.

ORDER

The petitioner has come forward with this Writ Petition seeking a direction to the first respondent to issue passport to the petitioner, within a time period stipulated by this Court.

2.According to the petitioner, he had applied for passport for the first time in the year 1997 and obtained the same on 02.12.1997. In the year 2004, he had left for Dubai and thereafter, quit the job in the year 2009. Since his passport was damaged, he had applied for a passport on 23.07.2012. Thereafter, when he had approached the local police authorities in the year 2016, he came to know that he has been victimized and an FIR has been filed against him. Though the petitioner has not committed any offence, he has been falsely implicated in the case in Crime No.152 of 2014 on the file of the second respondent. Therefore, the petitioner has made several representations to the respondents, lastly on 13.01.2018. Since no efforts have been taken, the petitioner has approached this Court seeking aforesaid prayer.

WEB COPY₄₇



the order, it should be produced by the petitioner to them so that they can verify the genuineness of the travel and the said endorsement should be made in all his renewed passports in future.

(vii) The passport authority shall keep a separate record with regard to this petitioner, so that genuineness of his travel and other relevant details shall be ascertained as and when required."

8.The Passport Authority shall ensure that these kind of directions are followed, while issuing passports to the persons, who are facing criminal case and whether the case is ended in acquittal or conviction, as in many cases, acquittal will be only on benefit of doubt.

9.Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Myr

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,
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Tamil Nadu-620008.

2.The Inspector of Police,
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Adirampattinam, Pattukottai Taluk,
Thanjavur District-614 701.

+1 CC to M/s.T. LAJAPTHI ROY, Advocate (SR-22591[F] dated 24/11/2020)

+1 CC to M/s.I.IRULAPPAN, Advocate (SR-22260[F] dated 20/11/2020)

+1 CC to M/s.SP1 GP (SR-22549[F] dated 23/11/2020)

W.P. (MD)No.9312 of 2018
20.11.2020

MA (CO)

KB(02.12.2020) 3P 6C