

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.1294 OF 2021

Muhamed Yasar Gani

... Petitioner

Vs

1. The Regional Passport Officer,
Regional Passport Office,
Chennai Royala Towers No.2 and 3,
IV Floor, Old No.785, New No.158,
Anna Salai, Chennai - 600 002.
 2. State Rep. by the Inspector of Police,
C-3, Seven Wells Police Station,
Chennai - 600 001.
- ... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus by directing the 1st respondent to issue the passport to the petitioner after considering his online application vide file No.MA1073058101520, dated 14.10.2020.

For petitioner Mr.A.Rajamohamed
For respondents Mr.Muthuswamy,
Addl.Central Govt. Standing counsel
for R1
Mr.V.Shanmuga Sundar,
Spl.Govt.Pleader for R2

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 1st respondent to issue the Passport to the petitioner based on the petitioner's on line passport application file No.MA1073058101520, dated 14.10.2020, within a time frame to be fixed by this Court.

2. As seen from the affidavit filed in support of this writ petition, the 1st respondent has not issued the Passport to the petitioner, since according to them, there is an adverse police

verification report against the petitioner. The 2nd respondent police has filed a counter affidavit dated 02.02.2021 before this Court. As seen from the counter affidavit filed by the 2nd respondent, they have stated that no case is pending against the petitioner before the 2nd respondent police i.e. C-3 Seven Wells Police Station.

3. Since, there is no criminal case pending against the petitioner, this Court is of the considered view that there is no prohibition for the 1st respondent to issue the Passport to the petitioner. But however, the petitioner will have to satisfy all other requirements that is necessary for obtaining a Passport.

4. For the foregoing reasons, this Court directs the 1st respondent to consider the petitioner's Passport application No.MA1073058101520, dated 14.10.2020 and pass final orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vs12

To

1. The Regional Passport Officer,
Regional Passport Office,
Chennai Royala Towers No.2 and 3,
IV Floor, Old No.785, New No.158,
Anna Salai, Chennai - 600 002.

2. The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai - 600 001.

+2cc to Mr.Muthuswamy, Advocate, S.R.No.18139

+2cc to Mr.A.Rajamohamed, Advocate, S.R.No.18223

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SKY(CO)

CS/08/04/2021