



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No. 25579 of 2021

WEB COPY

Zakir Hussain

... Petitioner

-Vs-

1. The Regional Passport Officer,
Regional Passport Office
Rayala Towers 2 and 3, IV Floor,
New No.158, Anna Salai,
Chennai- 2.

2. The Inspector of Police
Ambur Town Police Station
Vellore.

... Respondents

Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus or any other writ, directing the 1st Respondent to issue Passport to the petitioner by considering the passport application in file number MA5063397108921 dated 28.04.2021 and representation dated 02.08.2021 of the petitioner within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr. I.Abdul Basith

For Respondent R1 : Mr. K.G.Arul
Central Government Standing Counsel

For Respondent R2 : Mr. R.Murthi
Government Advocate (Crl. Side)

O R D E R

The petitioner has filed this Writ Petition seeking a direction to the first respondent to consider his passport application in File No.MA5063397108921 dated 28.04.2021 and his representation dated 02.08.2021 and issue him Passport within a stipulated period.

2. The case of the petitioner is that, he is an Engineering Graduate and currently looking for a job in abroad. Hence, the petitioner made an application before the 1st respondent vide File No.MA5063397108921 dated 28.04.2021 for issuance of a fresh passport and has also furnished necessary details and documents along with the said application. While so, the petitioner received a communication vide letter Ref.No.SCN/310941045/21 dated 14.06.2021 seeking clarification



on police verification report regarding the FIR pending against him in Cr.No.471 of 2018. However, the petitioner is not a named accused in the said FIR and the same was quashed by this Court in Crl.O.P.No.30199 of 2018 vide order dated 21.12.2018 and there is no criminal case pending against the petitioner. Thereafter, the petitioner made a representation dated 02.08.2021 to the 1st respondent and has also submitted the original copy of the order dated 21.12.2018. However, till date no order has been passed. Hence, this Writ petition.

3. The learned counsel for the petitioner submitted that, though the F.I.R referred to by the respondents is already quashed by this Court vide order dated 21.12.2018 and though there is no bar or embargo for the 1st respondent from issuing passport to the petitioner, the 1st respondent has not considered the petitioner's representation or issued passport, due to which the petitioner is facing various hardships. Hence, he submitted that, it would suffice, if this Court issues a direction to the first respondent to consider the petitioner representation dated 02.08.2021 and issue passport to the petitioner as early as possible.

4. On the other hand, the learned counsel appearing for the first respondent submitted that, the petitioner has not submitted any clarification regarding the F.I.R pending against him in Cr.No.471 of 2018. However, he submitted that, the respondents will consider the petitioner's representation dated 02.08.2021 and will pass appropriate orders in accordance with law within the time stipulated by this Court.

5. Considering the above submissions made by the learned counsel for both sides, this Court directs the petitioner to appear before the 1st respondent on 13.12.2021 and submit his application for issuance of passport along with the original copy of the order dated 21.12.2018. If such application is made by the petitioner, the 1st respondent shall consider the case of the petitioner after affording him an opportunity of hearing, and upon satisfaction, the 1st respondent shall issue passport to the petitioner within a period of four weeks.

6. Accordingly, this Writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar



skt/sha

To

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Rayala Towers 2 and 3, IV Floor,
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Chennai- 2.

2. The Inspector of Police
Ambur Town Police Station
Vellore.

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KK(CO)
KM(02/12/2021)