



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2021

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P. (MD)No.119 of 2021**

Udhayakumar

... Petitioner

-Vs-

1.The Government of India,  
Ministry of External Affairs,  
New Delhi.

2.The Regional Passport Officer,  
Regional Passport Office,  
Government of India,  
Ministry of External Affairs,  
Bharathi Ula Veethi,  
Race Course Road,  
Madurai 625 002.

3.The Inspector of Police,  
Keelavalavu Police Station,  
Keelavalavu, Melur Taluk,  
Madurai District.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 2<sup>nd</sup> respondent's impugned communication No.FCI/306573117/18 dated 01.08.2018 and quash the same and consequently direct the 2<sup>nd</sup> respondent to issue passport to the petitioner by considering his application No.MD1060210585317 dated 02.05.2017 and for other reliefs within a period stipulated by this Court.

For Petitioner : Mr.Atham Ali.S

For Respondents : Mr.Sivakumar,  
Standing Counsel for R1 & R2  
Mrs.S.Srimathy,  
Special Government Pleader for R3.

**ORDER**

Heard the learned counsel on either side.



2.The petitioner had applied for issuance of passport. The said application was rejected by citing the pendency of First Information Report against him. Though the petitioner has good case on merits, it is seen that the challenge has been mounted after a gap of full three years. The impugned order was passed **on** 08.01.2018. Therefore, on the ground of laches, I decline to interfere. However, I make it clear that the petitioner can very well submit a fresh application. The respondents will not deny the petitioner's request on the ground of pendency of First Information Report. If the petitioner otherwise fulfills the requisite formalities, the petitioner is entitled to be issued with passport.

3.With these observations in favour of the petitioner and giving liberty to the petitioner to apply afresh, the writ petition is disposed of. No costs.

Sd/  
Assistant Registrar(AE)

/True copy/

/ /2021  
Sub Assistant Registrar(CS- )

**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:-  
The Inspector of Police,  
Keelavalavu Police Station,  
Keelavalavu, Melur Taluk,  
Madurai District.

+1CC to The Special Government Pleader SR-646[F] dated 08/01/2021  
+1 CC to Mr.S.SIVAKUMAR, Advocate ( SR-398[F] dated 07/01/2021 )

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07.01.2021

ias  
PK/04.02.2021 : 2P/4C