



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1147 of 2021

Aravind

... 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 second respondent's impugned communication No.SCN/308752851/19, dated 13.06.2019 and quash the same and consequently, direct the second respondent to issue passport to the petitioner by considering his application No.MD1061102496518, dated 12.04.2018 and for other relief within a period stipulated by this Court.

For Petitioner : Mr.S.Atham Ali

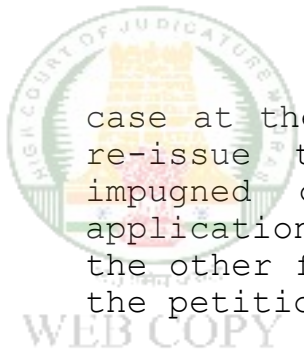
For Respondent1&2 : Mr.P.Murugesan

Central Government Standing Counsel

ORDER

Heard the learned counsel on either side. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner applied for issuance of passport. The petitioner's request was rejected because the petitioner had suppressed the pendency of criminal case registered against him. The petitioner's counsel has not come with any explanation for non disclosure of the criminal case. I do not want to go into the factual aspects. The fact remains that as on date, the case against the petitioner is only at the FIR stage. Pendency of a criminal



case at the FIR stage cannot be a ground for declining to issue or re-issue the passport. Therefore, even while sustaining the impugned order, I permit the petitioner to submit a fresh application for issuance of passport. If the petitioner fulfils all the other formalities, the second respondent shall issue passport to the petitioner at the earliest and without any delay.

3.The Writ Petition is disposed of on these terms. No costs.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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 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.

+1 CC to M/s.SPL GP (SR-2175[F] dated 27/01/2021)

W.P. (MD)No.1147 of 2021
25.01.2021

MJ(CO)

KB(03.02.2021) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>