



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.2831 of 2021

T.Balamurugan

... Petitioner

-Vs-

The Regional Passport Officer,
Madurai Region,
Bharathi Ula Veethi,
Race Course Road,
Madurai-625 002.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to issue a passport to the petitioner by considering his passport application vide File No.MD2073077119320, dated 29.10.2020 within a stipulated period as prescribed by this Court.

For Petitioner : Mr.P.Rengaraju

For Respondent : Mr.P.Murugesan
Central Government Standing Counsel

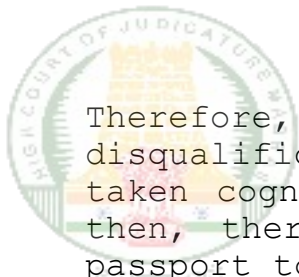
ORDER

Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondent.

2.The petitioner applied for re-issuance of passport. When the petitioner's application was processed, the respondent came to know that Crime No.252 of 2013 was registered against the petitioner on the file of the Aralvoimozhi Police Station.

3.The petitioner states that even though final report has been filed, till date it has not been taken on file.

4.Since the jurisdictional Criminal Court has not taken a call in the matter, the petitioner obviously can approach the jurisdictional Criminal Court for relief. The case against the petitioner herein cannot be treated as if the criminal prosecution is pending against him on the file of the criminal Court.



Therefore, the petitioner as on date has not attracted any disqualification. If the jurisdictional Criminal Court has not taken cognizance of the offence registered against the petitioner, then, there is no impediment for the respondent to re-issue the passport to the petitioner herein. The respondent to pass orders on the petition mentioned application within a period of four weeks from the date of receipt of a copy of this order. If on the date when the application is taken up for consideration, the case against the petitioner has not been taken on file and if there is no other impediment, the respondent will re-issue the passport to the petitioner.

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

Sd/
Assistant Registrar(CS-I)

/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 Regional Passport Officer,
Madurai Region,
Bharathi Ula Veethi,
Race Course Road,
Madurai-625 002.

+1 CC to M/s.P.MURUGESAN, Advocate (SR-5045[F] dated 15/02/2021)

W.P. (MD)No.2831 of 2021
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RMI
PK/27.02.2021 : 2P/3C