



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12371 of 2021

Muthu Irulandi

... Petitioner

Vs.

The Regional Passport Officer,
O/o Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai-625 002,
Tamil Nadu.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings in File No.MD 1063379804921 dated 26.04.2021 on the file of the respondent and quash the same as illegal and consequently directing the respondent to issue the passport to the petitioner within the time frame stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondent : Mrs.L.Victoria Gowri

Assistant Solicitor General of India

ORDER

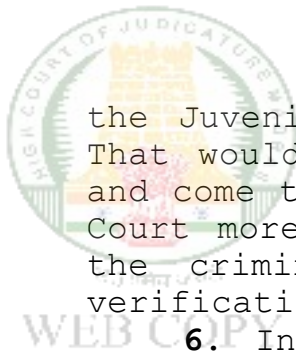
This writ petition has been filed challenging the impugned notice issued by the respondents dated 26.04.2021 and for a consequential direction to the respondent to issue passport to the petitioner within the time limit prescribed by this Court.

2. Heard Mr.S.Rajasekar, learned counsel appearing for the petitioner and Mrs.L.Victoria Gowri, learned Assistant Solicitor General of India appearing for the respondent.

3. The case of the petitioner is that he had applied for a passport before the respondent. In the meantime there was a case pending against the petitioner in Crime No.534 of 2014. The case was thereafter referred to the Juvenile Justice Board, Madurai and it was taken up in J.C.No.163 of 2014. The petitioner admitted the guilt and was imposed a fine of Rs.500/- and on payment of the same, the criminal case has been disposed of.

4. The above criminal case was put against the petitioner and the application was rejected through the impugned notice dated 26.04.2021 and the petitioner was called for an enquiry.

5. The petitioner could have very well appeared before the respondent and submitted a statement along with the order passed by



the Juvenile Justice Board disposing of the criminal proceedings. That would have enabled the respondent to process the application and come to a decision. However, the petitioner has approached this Court more on the ground that the respondent was proceeding as if the criminal case is pending and there is an adverse police verification report.

6. In view of the above, there shall be a direction to the petitioner to submit a statement before the respondent by explaining the criminal case and the disposal of the same by the Juvenile Justice Board through order dated 06.12.2014. The respondent on receipt of the explanation from the petitioner shall consider the same and process the application made by the petitioner and issue passport, if the petitioner has satisfied all the other requirements. This process shall be completed by the respondent within a period of four weeks from the date of receipt of the explanation from the petitioner.

7. In the result, this writ petition is disposed of with the above directions. No Costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

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,
O/o Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road, Madurai-625 002.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate(SR-24132[F] dated 28/07/2021)

W.P. (MD) .No.12371 of 2021
27.07.2021

RC (04.08.2021) 2P-3C