



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.14762 of 2021

WEB COPY
Jeyakodi

... Petitioner

Vs.

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

2.The Inspector of Police,
Thirunagar Police Station,
Thirunagar,
Madurai.

... Respondents

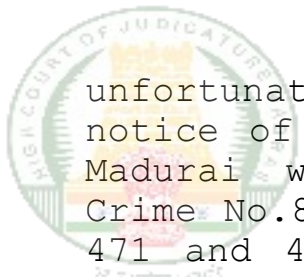
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the first respectively to issue passport to the petitioner on his application dated 11.02.2020 in Ref.No.MD1062837805320 on the basis of petitioner's representation dated 16.07.2021 within time frame fixed by this Court.

For Petitioner	: Mr.M.Palani
For R-1	: Mrs.L.Victoria Gowri, Assistant Solicitor General of India.
For R-2	: Mr.D.Ghandiraj, Special Government Pleader.

ORDER

Mrs.L.Victoria Gowri, Assistant Solicitor General of India appears on behalf of the first respondent and Mr.D.Ghandiraj, learned Special Government Pleader appears on behalf of the second respondent.

2.The petitioner is a senior citizen aged about 72 years who had applied for a passport on 11.02.2020. But,



unfortunately, the petitioner had also come under the adverse notice of the Inspector of Police, Thirunagar Police Station, Madurai who had registered a First Information Report in Crime No.805/2014 under Section 147, 294(b), 506(i), 468, 470, 471 and 420 of IPC. Subsequently after investigation, the final report had been taken cognizance by the Judicial Magistrate, Thirumangalam as C.C.No.115/2019.

3.Learned counsel for the petitioner further provided an information that the said FIR was lodged on the basis of a complaint given by the brother of the petitioner herein and pending the calendar case, good sense had prevailed between the two brothers and they had also entered into a compromise and documents vice versa had been executed between two brothers.

4.It is stated that in view of that particular fact, the possibility of conviction is quite remote. At any rate, the pendency of the calendar case may not be a deterrent to grant passport to the petitioner and therefore, the petitioner may appear before the first respondent, on a date when the first respondent issues notice to the petitioner to appear and the petitioner may take with him all the relevant documents explaining the nature of the case and also show a copy of this particular order and the first respondent may proceed further to issue passport if the application is otherwise in order. The Writ Petition is disposed of on the above terms.

5.If at all the petitioner wants to go abroad and if the calendar case is still pending on that particular date when he wants to go abroad, then the petitioner may file necessary application seeking permission and I am confident that the learned Judicial Magistrate would apply his mind to the facts and pass necessary and appropriate orders.

6.With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

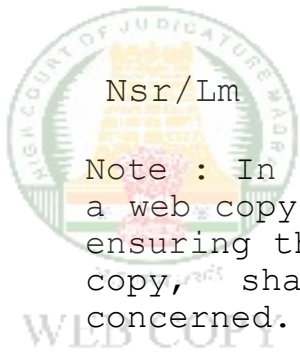
Sd/-

Assistant Registrar (A.D II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Nsr/Lm

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 Authorized Officer,
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Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

2.The Inspector of Police,
Thirunagar Police Station,
Thirunagar,
Madurai.

+1 CC to M/s.M.PALANI, Advocate (SR-36204[F] dated
26/11/2021)

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RS (07.12.2021) 3P-4C