



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.2780 of 2022

Dinesh Kumar

... Petitioner

Vs.

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

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to issue passport to the petitioner, by processing the file No.MD1063842110921 dated 28.12.2021 by considering the petitioner's passport representation dated 28.12.2021.

For Petitioner : Mr.A.S.Krishnan

For Respondent : Mr.A.Srinivasan

Central Government Standing Counsel

O R D E R

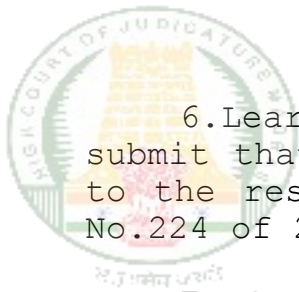
This writ petition has been filed for a Mandamus seeking for a direction to the respondent to issue passport to the petitioner by processing his passport application dated 28.12.2021 within a time frame to be fixed by this Court.

2.The case of the petitioner is that he applied for passport on 28.12.2021. However, till date his passport application has not been processed by the respondent on the ground that there is a pending FIR against the petitioner on the file of the Inspector of Police, Appanthiruppathi Police Station, Madurai District in Crime No.224 of 2018 under Sections 279 and 337 of IPC.

3.Heard Mr.A.S.Krishnan, learned counsel appearing for the petitioner and Mr.A.Srinivasan, learned Central Government Standing Counsel who accepts notice on behalf of the respondent.

4.Learned Counsel for the petitioner submits that the aforementioned FIR pertains to an accident case.

5.Learned Standing Counsel appearing for the respondent on instructions would submit that if an explanation is given with regard to the FIR pending against the petitioner in Crime No.224 of 2018 to the respondent, the said explanation will be considered by the respondent on merits and in accordance with law. The said statement is recorded.



6.Learned Counsel for the petitioner on instructions would submit that the petitioner is willing to give a written explanation to the respondent with regard to the registration of FIR in Crime No.224 of 2018. The said statement is also recorded.

7.After recording the submissions made by the respective Counsels, this Court directs the petitioner to submit an explanation to the respondent within a period of one [1] week from the date of receipt of a copy of this order with regard to the pendency of the FIR against the petitioner in Crime No.224 of 2018 and on receipt of the said explanation, the respondent is directed to process the passport application of the petitioner and pass final orders within a period of four [4] weeks thereafter, after giving due consideration to the explanation to be submitted by the petitioner as directed by this Court.

8.With the aforesaid direction, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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

+1CC TO MR. A.SRINIVASAN, ADVOCATE SR 6617

ORDER MADE IN W.P.[MD]No.2780 of 2022

15.02.2022

SRR(CO)

GC(02.03.2022) 2P 3C