



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.4942 of 2022

M.Seeni Nainar Mohamed

... Petitioner

Vs.

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

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

... Respondents

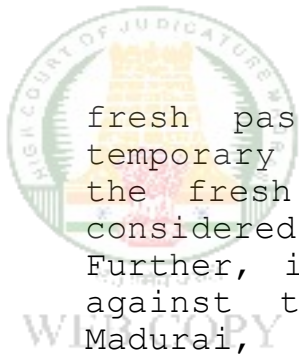
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondent No.1 to consider the new passport application of petitioner in MD 1073860547122 dated 31.12.2021 and issue passport to the petitioner by considering the petitioner's representation dated 09.03.2022 in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner	: Mr.R.Alagumani
For Respondents	: Mrs.L.Victoria Gowri
	Assistant Solicitor General of India
	for R1
	: Mr.D.Sasikumar
	Additional Government Pleader
	for R2

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to consider and pass final orders on the petitioner's new passport application dated 31.12.2021 within a time frame to be fixed by this Court.

<https://hcservices.courts.gov.in/hcservices/> In the case of the petitioner that he has applied for a



fresh passport on 31.12.2021 and presently he is holding a temporary passport which expires on 10.08.2022. According to him the fresh passport application submitted by him has not been considered in view of certain criminal cases pending against him. Further, it is his case that though charge sheet has been filed against the petitioner before the Judicial Magistrate No.I, Madurai, the Government has decided to close the case and therefore, he is now entitled to apply for a fresh passport. It is his further case that he has already sent a representation to the second respondent to close the history sheet pending against the petitioner. The petitioner has stated that he and his family members are desirous of performing Hajj pilgrimage during this year and therefore passport will have to be issued by the first respondent expeditiously. The petitioner has filed documents along with this writ petition in support of his contention that he will be performing Hajj pilgrimage this year. The same will have to be considered by the first respondent while processing the petitioner's application seeking for issuance of a fresh passport.

3.No prejudice would be caused to the respondents if the petitioner's application is considered on merits and in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing.

4.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's application dated 31.12.2021 seeking for issuance of a fresh passport in his name and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing within a period of twelve [12] weeks from the date of receipt of a copy of this order. The petitioner is permitted to produce documents in support of his contention before the first respondent and the first respondent shall consider the same thereafter.

5.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

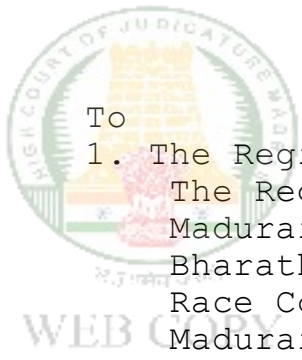
Assistant Registrar (R)

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/ /2022

Sub Assistant Registrar(CS)

MR



To

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

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

+1 CC to M/s.SPL GP (SR-13531[F] dated 22/03/2022)

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-13957[F] dated 23/03/2022)

ORDER MADE IN
W.P. [MD]No.4942 of 2022
21.03.2022

PA(12.04.2022) 3P 5C