



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.5012 of 2022

Meenakshi Sundaram

... Petitioner

/Vs./

The Regional Passport Officer,
Regional Passport Office,
Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to issue a passport to the petitioner based on the petitioner's application in File No. 1063305410721 within a time frame as fixed by this Court.

For Petitioner : Mr.S.Sukumar

For Respondent : Mr.V.B.Sundareshwar
Central Government Standing Counsel

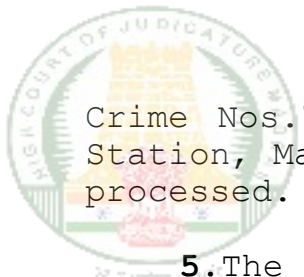
ORDER

This writ petition has been filed for a Mandamus, seeking for a direction to the respondent to issue a passport to the petitioner based on the petitioner's application in File No.1063305410721, within a time frame to be fixed by this Court.

2.The petitioner has applied for a passport on 04.03.2021. A show cause notice was issued to the petitioner by the respondent calling upon him to explain with regard to the FIRs pending against him in Crime Nos.710 and 787 of 2020 on the file of the Karimedu Police Station, Madurai. The petitioner claims that he has also sent a reply on 30.04.2021 to the said show cause notice. Since the passport application has not been considered till date, he has filed this writ petition.

3.Heard Mr.S.Sukumar, learned Counsel for the writ petitioner and Mr.V.B.Sundareshwar, learned Central Government Standing Counsel, appearing on behalf of the respondent.

4.The learned Central Government Standing Counsel appearing on behalf of the respondent, would submit that since the petitioner has not submitted an explanation to the FIRs pending against him in



Crime Nos.710 and 787 of 2020 on the file of the Karimedu Police Station, Madurai, the petitioner's passport application has not been processed.

5.The learned counsel appearing for the petitioner submits that the petitioner is willing to submit one more explanation to the respondent. The said statement is recorded.

6.It is the settled law that pendency of FIR will not prohibit the respondent from issuing passport to any applicant. It depends on the facts and circumstances of each case. It is for the respondent to decide on merits and in accordance with law, as to whether the applicant will be entitled for passport or not.

7.No prejudice would be caused to the respondent, if the petitioner's application seeking for passport is considered on merits and in accordance with law, after affording a fair hearing to the petitioner.

8.For the foregoing reasons, this Court directs the petitioner to submit an explanation to the respondent with regard to the FIRs pending against him in Crime Nos.710 and 787 of 2020 on the file of the Karimedu Police Station, Madurai, within a period of one (1) week from the date of receipt of a copy of this order. On receipt of the same, the respondent shall process the petitioner's passport application 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 six (6) weeks thereafter.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

1.The Inspector of Police,
Karimedu Police Station,
Madurai.



2.The Regional Passport Officer,
Regional Passport Office,
Madurai.

+1 CC to M/s.S. SUKUMAR, Advocate (SR-16994[F] dated 06/04/2022)

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W.P. [MD]No.5012 of 2022

Dated:

05.04.2022

RK(21/04/2022) 3P 4C