



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.04.2022**

CORAM:

**THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**

**W.P. [MD]No.7846 of 2022**

WEB COPY

Newton

... Petitioner

/Vs./

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

2. The Inspector of Police,  
Koodankulam Police Station,  
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the first respondent to consider the application for renewal of passport to the petitioner relating to file No.MO2073953769922 with the 1<sup>st</sup> respondent's reference letter dated 21.02.2022.

For Petitioner : Mr.A.P.Muthupandian  
For R1 : Mr.Y.Sasikumar,  
Senior Central Government  
Standing Counsel  
For R2 : Mrs.S.Jeya Priya,  
Government Advocate.

### ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to consider the petitioner's application seeking for renewal of passport in his name.

2.According to the petitioner, in view of the FIRs pending against the petitioner, in Crime Nos.164, 165 and 175 of 2012 and 393 of 2011, the petitioner's application seeking for renewal of his passport has not been processed by the first respondent. The petitioner has also contended that insofar as Crime No.393 of 2011 is concerned, the same has already been withdrawn.

3.Heard Mr.A.P.Muthupandian, learned Counsel for the writ petitioner, Mr.Y.Sasikumar, learned Senior Central Government

<https://hcservices.ecourts.gov.in/hcservices/>



Standing Counsel, who accepts notice on behalf of the 1<sup>st</sup> respondent. and Mrs.S.Jeya Priya, learned Government Advocate, who accepts notice on behalf of the 2<sup>nd</sup> respondent.

4.The learned Government Advocate, appearing on behalf of the second respondent, on instructions, would submit that in respect of the aforementioned three crime numbers pending against the petitioner, the concerned Magistrate has already taken cognizance in PRC Nos.42/2020, 52/2020 and 46/2020.

5.Since the concerned Magistrate Court has already taken cognizance of the charge sheets filed by the respondent police, in respect of the aforementioned three crime numbers, the petitioner will have to necessarily approach the concerned Magistrate Court seeking permission to go abroad.

6.The learned counsel appearing for the petitioner also seeks liberty of this Court for the petitioner to approach the concerned Magistrate Court.

7.After recording the submissions made by the respective counsels, this Writ Petition is disposed of by granting liberty to the petitioner to approach the concerned Magistrate Court and seek permission to go abroad and thereafter the first respondent shall consider the petitioner's application seeking for renewal of his passport in his name.

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

Sd/-  
Assistant Registrar

// True Copy //

/ /2022  
Sub Assistant Registrar(CS)

sm

To

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



2. The Inspector of Police,  
Koodankulam Police Station,  
Tirunelveli District.

WEB COPY

+1 CC to M/s.V. SASIKUMAR, Advocate  
( SR-21811[F] dated 27/04/2022 )

+1 CC to M/s.A.P.MUTHU PANDIAN, Advocate  
( SR-20964[F] dated 25/04/2022 )

order made in  
W.P.[MD]No.7846 of 2022  
25.04.2022

SP/11/05/2022/3P/5C