



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.04.2022**

CORAM:

**THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.8311 of 2022

and

W.M.P.[MD]Nos.6175 & 6177 of 2022

WEB COPY

Mathiyalagan

... Petitioner

/Vs./

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

2. The Sub Inspector of Police,  
Devipattinam Police Station,  
Ramanathapuram District.

... Respondents

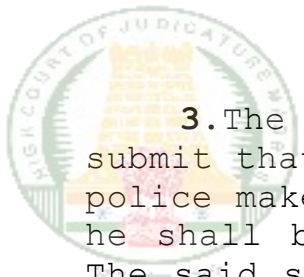
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the orders passed by the 1<sup>st</sup> respondent in Letter Ref.No.SCN/312370971/22, dated 25.03.2022, pertaining to File No.MD1086663341322 and to quash the same as illegal and further direct the 1<sup>st</sup> respondent to forward the Police Clearance Certificate - PCC verification from to the 2nd respondent for considering issuance of PCC to the petitioner.

|                |                                                              |
|----------------|--------------------------------------------------------------|
| For Petitioner | : Mr.A.S.Vaigunth                                            |
| For R1         | : Mrs.Victoria Gowri<br>Assistant Solicitor General of India |
| For R2         | : Mr.B.Saravanan<br>Additional Government Pleader            |

**ORDER**

This writ petition has been filed challenging the show cause notice dated 25.03.2022 issued by the first respondent intimating the petitioner that since the petitioner's mobile phone could not be reached, the police verification report could not be obtained by the second respondent.

2.Heard Mr.A.S.Vaigunth, learned counsel appearing for the petitioner, Mrs.Victoria Gowri, learned Assistant Solicitor General of India, who accepts notice on behalf of the first respondent and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the second respondent.



3.The learned counsel appearing for the petitioner would now submit that the petitioner is always reachable and as and when the police makes verification with regard to his position and address, he shall be present at the time when the police approaches him. The said statement is recorded. He would also submit that he has already submitted an explanation on 06.04.2022 to the impugned show cause notice dated 25.03.2022 reiterating his cooperation for police verification. The petitioner seeks to travel abroad after obtaining the Police Clearance Certificate.

4.The learned Government Advocate appearing for the second respondent, on instructions, would submit that earlier there was an FIR pending against the petitioner in Crime No.230 of 2012 registered under Sections 279 and 337 of IPC, which has now been closed. The same is recorded.

5.The learned Assistant Solicitor General of India appearing for the first respondent, on instructions, would submit that the first respondent is ready and willing to send the case of the petitioner for re-verification with the second respondent police. The said statement is recorded.

6.No prejudice would be caused to the respondents, if this Court directs the first respondent to send the case of the petitioner for re-verification with the second respondent.

7.For the foregoing reasons, this Court directs the first respondent to send the case of the petitioner for re-verification with the second respondent, within a period of two (2) weeks from the date of receipt of a copy of this order. On receipt of said communication from the first respondent, the second respondent shall pass final orders for issuance of Police Clearance Certificate in favour of the petitioner, within a period of two (2) weeks thereafter.

8.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)



To:

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

2. The Sub Inspector of Police,  
Devipattinam Police Station,  
Ramanathapuram District.

+1 CC to M/s.SPL.GP. ( SR-22089[F] dated 28/04/2022 )

+1 CC to M/s.A.VAIGUNTH, Advocate ( SR-22886[F] dated 29/04/2022 )

order made in  
W.P.[MD]No.8311 of 2022  
Dated: 27.04.2022

USK/19.05.2022/3P/5C