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W.P.(MD)NO.10816 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.10816 of 2022

Mohamad Riyas

... Petitioner

Vs.

1. The Regional Passport Officer,
Regional Passport office,
Bharathi Ula Veethi,
Race Course Road,
Madurai-625 002.
2. The Superintending Enquiry officer,
Regional Passport Office Madurai,
Bharathi Ula Veethi,
Race Course Road,
Madurai.
3. The Inspector of police,
Mandapam Police Station,
Ramanathapuram.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st Respondent to consider the petitioner's representation dated 04.04.2022 in file No.MD01C5016018522 dated 10.03.2022 pending before the 1st respondent within a stipulated time that may be fixed by this Court.



WEB COPY



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W.P.(MD)NO.10816 OF 2022

For Petitioner : Mr. B. Mahendrarajan

For R-1 & R-2 : Ms. L. Victoria Gowri,
Assistant Solicitor General of India.

For R-3 : Mr. K. Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Assistant Solicitor General of India appearing for respondents 1 and 2 and the learned Special Government Pleader appearing for the third respondent.

2. The petitioner seeks issuance of passport. Since a criminal case is pending against the petitioner, it was not being processed. The learned Special Government Pleader informs the Court that cognizance of the criminal case is yet to be taken.

3. Therefore, I will proceed on the premise that the case is at the stage of pre-cognizance. In such an event, the first respondent cannot decline to process the petitioner's



application. Pendency of criminal case at the FIR stage cannot be an impediment for issuance of passport. Therefore, the first respondent is directed to issue passport to the petitioner within a period of four weeks from the date of receipt of a copy of this order subject to compliance of all the other formalities.

4. This writ petition stands allowed. No costs.

14.06.2022

Index : Yes / No
Internet : Yes/ No

PMU

To:

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Race Course Road,
Madurai-625 002.
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G.R.SWAMINATHAN,J.

PMU

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