



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11536 of 2022

C.Karthikeyan

... Petitioner

Vs.

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

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to issue passport to the petitioner by considering his application dated 26.05.2022 in File No.MD1074162042322.

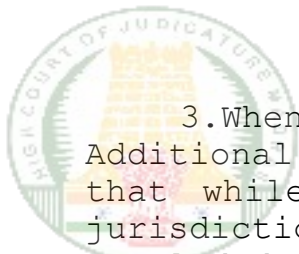
For Petitioner : Mr.A.V.Arun

For Respondents : Mrs.L.Victoria Gowri,
Additional Solicitor General for R1
Mr.M.Prakash,
Additional Government Pleader for R2.

ORDER

Heard the learned counsel for the writ petitioner, the learned Additional Solicitor General for the first respondent and the learned Additional Government Pleader for the second respondent. With the consent of the learned counsel on either side, the writ petition is taken up for final disposal at the admission stage itself.

2.The writ petitioner is a holder of Indian passport. He sought renewal of the same. Citing the pendency of criminal prosecution, the petitioner's request for renewal was not being processed. That led to the filing of the present writ petition.



3.When the matter was taken up for hearing, the learned Additional Government Pleader for the second respondent submitted that while the petitioner came under the adverse notice of the jurisdictional police in three cases, two cases have already got concluded as the petitioner remitted the fine and only one case is presently pending and that is at the FIR stage. Crime No.205 of 2018 was registered on the file of Keelavalavu Police Station for the offence under Section 12 of Tamilnadu Gaming Act. It is well settled that pendency of criminal case at the FIR stage is not a bar for processing an applicant's request for issuance or renewal of passport. The learned counsel for the petitioner states that even a request for renewal of passport is considered as fresh application. Since I am satisfied that only one case is pending against the petitioner and that too at the FIR stage, the first respondent is directed to issue passport to the petitioner by considering the petition mentioned application of course subject to fulfillment of other formalities. This exercise shall be concluded within a period of six weeks from the date of receipt of a copy of this order.

4.The writ petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

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To:-

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

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

+1 CC to M/s.A.V. ARUN, Advocate (SR-25870[F] dated 15/06/2022)
+1 CC to M/s.SPL.GP (SR-25885[F] dated 15/06/2022)

W.P (MD)No.11536 of 2022
14.06.2022

RD(07.07.2022) 2P 5C