



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.11852 of 2022

WEB COPY

Dharmar

... Petitioner

Vs.

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

2.The Inspector of Police,
Karuppayurani Police Station,
Madurai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant permission to the petitioner bearing passport number P0265825 to travel abroad based on the explanation dated 11.05.2022 in respect of the first respondent notice in file number MD1086664898922, dated 22.04.2022.

For Petitioner	: Mr.R.Balamuruganantham
For R1	: Mrs.L.Victoria Gowri Assistant Solicitor General
For R2	: Mr.N.Ramesh Arumugam Government Advocate

O R D E R

Heard the learned counsel on either side.

2. The petitioner was issued with passport in the year 2016. He was involved in Crime No.141 of 2018 registered on the file of the Karuppayurani Police Station for the offences under Sections 420 of IPC and Section 7 of the Specified Bank Notes (Cessation of Liabilities) Act, 2017.

3. It appears that the second respondent had sent verification report to the first respondent in this regard. Based on the same, the petitioner has been called upon to explain. It is beyond dispute that the petitioner has not indulged in suppression of any material. When he applied for passport, his track record was clean. His subsequent involvement in a cheating case cannot be a ground for calling upon the petitioner to surrender the passport in question. It is also stated that criminal case is still pending at the FIR stage. Right to travel abroad is a fundamental right. Therefore, the respondent is directed to grant permission to the petitioner to travel abroad.



4. The Writ Petition is allowed. No costs.

Sd/-

Assistant Registrar (AE)

WEB COPY

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

rmi

To

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

2.The Inspector of Police,
Karuppayurani Police Station,
Madurai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R. BALAMURUGANANTHAM, Advocate (SR-25752[F] dated 15/06/2022)

+1 CC to M/s.SPL.GP. (SR-26426[F] dated 17/06/2022)

W.P.(MD)No.11852 of 2022
15.06.2022

=SS(24/06/2022) 2P 6C