



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.12180 of 2022

and

W.M.P. (MD) Nos.8664, 8665 and 8666 of 2022

Mohamed Ibrahim

... Petitioner

Vs.

1. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Racecourse Road,
Madurai 625 002.

2. The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the entire records in connection with the impugned show notice in Letter Ref.No.SCN/312714953/22 dated 01.06.2022 in File No.MD1074236052722 issued by the 1st respondent and quash the same as illegal and consequently direct the 1st respondent to activate the passport services provided to the petitioner in passport No.V8407231 dated 24.05.2022.

For Petitioner : Mr.M.Seenisulthan
For Respondents : Mrs.L.Victoria Gowri,
Addl. Solicitor General for R1.
Mr.K.Balasubramani,
Spl. Government Pleader for R2

ORDER

Heard the learned counsel on either side.

2.The petitioner is an accused in Crime No.483 of 2021 on the file of Uchipuli Police Station for the offences under Section 294 (b), 324 and 506(ii) of IPC. The final report is yet to be filed. Since the case is pending only at the FIR stage, there is no impediment for issuance of passport. In fact, the petitioner was



already issued with passport on 24.05.2022. The criminal case was registered on 29.11.2021. It appears that the petitioner did not inform the first respondent about the pendency of the criminal case. The petitioner was probably under the impression that he was not obliged to disclose unless it has been charge sheeted. Since the case is not that serious and since it is pending only at the FIR stage, I am inclined to take an indulgent view.

3.In this view of the matter, the impugned show cause notice is set aside and the writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

21/06/2022

Sub Assistant Registrar(CS)

ias

To:

1. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Racecourse Road, Madurai 625 002.
2. The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
3. THE SPECIAL GOVERNMENT PLEADER,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M. SEENI SULTHAN, Advocate (SR-26880[F] dated 20/06/2022)

W.P(MD)No.12180 of 2022

20.06.2022

USK/21.06.2022/2P/5C