



W.P(MD)No.13188 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13188 of 2022

and

W.M.P(MD)No.9370 of 2022

C.Baskar

... Petitioner

Vs.

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

2.The Regional Passport Officer,
O/o. Regional Passport Office,
No.13, South Bye-Pass Road,
Xavier Colony,
Tirunelveli.

3.The Superintendent of Police,
O/o. Superintendent of Police,
Tirunelveli.

... 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 records pertaining to impugned e-mail communication dated 10.06.2022 in file No.MD2073813502721 on the file of the respondent No.1 and quash the said communication as illegal and consequently direct the respondent No.1 to



W.P(MD)No.13188 of 2022

re-issue the passport to the petitioner in file No.MD2073813502721 within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.V.S.Karthi,
Central Govt. Senior Panel Counsel for R1 & R2.
Mr.M.Prakash,
Addl. Government Pleader for R3.

ORDER

Heard the learned counsel for the writ petitioner, the learned Central Government Senior Panel Counsel for the respondents 1 and 2 and the learned Additional Government Pleader for the third respondent.

2.The petitioner is a holder of Indian Passport. In the year 2021 itself, the validity period expired. Hence, he seeks renewal/re-issuance. He submitted the petition mentioned application to the first respondent. The first respondent intimated the petitioner that in view of the pendency of W.A.(MD)No.1447 of 2015 filed by the petitioner, his request for re-issuance of passport cannot be processed.

3.It is seen that the petitioner was employed in Government Medical College, Tirunelveli. He had apparently breached the bond condition. In that



W.P(MD)No.13188 of 2022

regard, there is a dispute pending between the petitioner and the employer.

Therefore, the petitioner filed W.P.(MD)No.18630 of 2015 but the same was dismissed. Questioning the same, the petitioner filed W.A.(MD)No.1447 of 2015. It is still pending before the Hon'ble Division Bench. Pendency of the writ appeal filed by the petitioner can in no way come in the way of processing the petition mentioned application. It is not as if the petitioner is facing any criminal case. Therefore, the impugned communication is quashed. The writ petition is allowed. The first respondent is directed to re-issue/renew the passport of the writ petitioner subject to fulfilment of usual formalities. Only if the petitioner's case can be brought under any of the circumstances falling within Section 6 of the Passport Act, then alone his request for issuance of passport can be put on hold. Since the petitioner's case does not fall within any of those circumstances, there can be no impediment for issuing passport to the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

24.06.2022

Index : Yes / No
Internet : Yes/ No
ias

To:-
The Superintendent of Police,
O/o. Superintendent of Police,
Tirunelveli.



WEB COPY



W.P(MD)No.13188 of 2022

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.13188 of 2022

24.06.2022