



W.P.(MD)No.13388 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13388 of 2022

and

W.M.P.(MD)No.9504 of 2022

H.Ramkumar

... Petitioner

Vs.

1.The Regional Passport Officer,
Office of the Regional Passport Office,
Bharathi Ulaa Veedhi,
Race Course Road,
Madurai-625 002.

2.The Inspector of Police,
Palani Town Police Station,
Palani Taluk,
Dindigul District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned show cause notice issued by the first respondent to the petitioner dated 03.06.2022 and quash the same and consequently, directing the respondents to re-issue the petitioner's passport bearing No.U8757937 based on his application No. 22-1005726299, dated 12.05.2022 within the time stipulated by this Court.



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For Petitioner : Mr.C.Gangai Amaran
For R1 : Mr.S.Sivakumar
CGSC
For R2 : Mr.M.Prakash
Additional Government Pleader

ORDER

The petitioner is the holder of an Indian passport. When he applied for the same, he did not disclose the pendency of a criminal case. That led to the issuance of the impugned show cause notice.

2. It is seen that the case against the petitioner is still pending only at the FIR stage. Therefore, the petitioner probably thought that since he has not received any summon from the Court, he was not obliged to mention his involvement in a criminal case.

3. Taking an indulgent view, since the criminal case did not culminate in a final report and since the same had not been taken cognizance by the jurisdictional criminal Court when the petitioner applied for issuance of the passport, the impugned show cause notice is set aside.



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4. The Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes/ No
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To

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