



W.P.(MD)No.13671 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 30.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13671 of 2022

Palani Selvam

... Petitioner

Vs.

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

2.The Inspector of Police,
Aaravayal Police Station,
Sivagangai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to renew the petitioner's passport Application File No.MD1074290325322, dated 08.06.2022, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.G.Hariharan

For R1 : Mr.V.S.Karthick
Standing Counsel



W.P.(MD)No.13671 of 2022

WEB COPY

ORDER

Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the first respondent and the learned Additional Government Pleader appearing for the second respondent.

2. With the consent of learned counsel on either side, the writ petition is taken up 'for disposal' at the admission stage itself.

3. The petitioner is a holder of an Indian passport. It is to expire shortly. He applied for renewal. The petitioner apprehends that his application may not be processed in view of the registration of the criminal case against him.

4. The learned Additional Government Pleader appearing for the second respondent clarifies that the case against the petitioner is pending only at the FIR stage and that final report has not been filed.



W.P.(MD)No.13671 of 2022

WEB COPY

5. The learned Additional Government Pleader appearing for the second respondent states that the petitioner was involved in two cases. One had already ended in acquittal. In respect of the other case, final report has been filed. But, it is yet to be taken on file. Therefore, I have to treat the pending case only as one at the pre-cognizance stage.

6. The learned Standing Counsel draws my attention to the office memorandum dated 10.10.2019 which contemplates that the applicant must give an undertaking as set out in annexure 'A'.

7. The petitioner states that he will execute such an undertaking. I make it clear that pendency of the criminal case will not be treated as impediment. The first respondent is directed to process the petition mentioned application and issue passport to the petitioner subject to fulfilment of usual formalities.

8. The Writ Petition is allowed. No costs.

30.06.2022

Index : Yes / No
Internet : Yes/ No
rmi



WEB COPY



W.P.(MD)No.13671 of 2022

G.R.SWAMINATHAN,J.

rmi

To

- 1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai.
- 2.The Inspector of Police,
Aaravayal Police Station,
Sivagangai District.

W.P.(MD)No.13671 of 2022

30.06.2022