



W.P.(MD)No.14074 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14074 of 2022

and

W.M.P.(MD)No.10047 of 2022

S.Raja Najumudeen

... Petitioner

Vs.

1.The Passport Officer,
Regional Passport Office,
Madurai.

2.The Inspector of Police,
Saakottai Police Station,
Saakottai,
Sivagangai 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 relating to the impugned order of the first respondent, dated 09.05.2022 and quash the same and consequently, direct the first respondent to issue passport to the petitioner within a period as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam

For Respondents : Mr.M.Sarangan
Government Advocate



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ORDER

Heard the learned counsel on either side.

2. With the consent of learned counsel on either side, the matter is taken up 'for final disposal'.

3. The petitioner's application was sent for verification. The second respondent reported to the first respondent that the petitioner is involved in a criminal case. There upon, the impugned communication came to be issued.

4. I do not want to go into the issue of suppression. Suffice it to say that the case against the petitioner is pending only at the FIR stage. Pendency of a criminal case at the FIR stage cannot be a bar for issuance of a passport. Therefore, the impugned communication stands quashed. The respondent is directed to process the petition mentioned application and issue passport to the petitioner subject to fulfilment of the other formalities.



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

04.07.2022

Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN,J.

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