



W.P(MD)No.16363 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16363 of 2022

Yesudhason Soosaiah @ Yesudasan Soosaiyan

... Petitioner

Vs.

1.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
(Crime No.185 of 2018)

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent, to consider the representation made by the petitioner to the 2nd Respondent dated 07.07.2022, to dispose of the proceedings under Passport Act, to process the petitioner's application for renewal of the petitioner passport made under File No. MD2074300125522 and grant renewal of his passport bearing passport No. G5796207 there by permitting the petitioner to travel abroad.



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For Petitioner : Mr.G.Anto Prince

For Respondents : Mr.K.Maharajan,
Central Govt. Standing Counsel for R2.
Mr.K.Balasubramani,
Spl. Government Pleader for R1.

ORDER

Heard the learned counsel on either side.

2.The petitioner was holding an Indian passport. He seeks renewal of the same. Since the petitioner got involved in a criminal case, the second respondent did not process the petitioner's application. It is now stated by the learned Special Government Pleader for the first respondent that the criminal case is pending only at the FIR stage. It has been held time and again that pendency of a criminal case at the FIR stage cannot be an impediment for processing the petitioner's request for issuance of passport. Therefore, the second respondent is directed to issue passport to the petitioner by considering the petition mentioned application subject to fulfilment of other formalities.

3.The writ petition is allowed accordingly. No costs.

26.07.2022

Index : Yes / No
Internet : Yes/ No
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To:

The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.



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G.R.SWAMINATHAN, J.

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