



W.P(MD)No.19380 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19380 of 2022

Palanivel Paramasivam

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai-625002.

2.Inspector of Police,
Vadipatti Police Station,
Madurai District.

... 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 1st respondent the officer in charge Regional Passport office, to pass an order to return the Reissue passport in passport No.T3686897 in Reference to the File No.MD1072522661719, dated 18/10/2019 and surrendered as per surrender certificate on 29/11/2019 for a short time Validity.

For Petitioner : Mr.P.Pradeep

For R1 : Mr.V.B.Sundhareshwar
CGSC

For R2 : Mr.M.Prakash
Additional Government Pleader



W.P(MD)No.19380 of 2022

ORDER

Heard the learned counsel on either side.

2. The petitioner is an Indian citizen and is a passport holder. The validity of his passport had already expired and he had surrendered the same to the first respondent based on their communication.

3. The specific stand of the first respondent is that the petitioner suppressed the factum of pendency of a criminal case at the time of submitting the renewal application. The petitioner now wants the application to be processed.

4. When the matter was taken up for hearing, it is fairly submitted that C.C.No.9 of 2019 is pending on the file of the Judicial Magistrate, Vadipatti for the offences under Sections 279 and 304(a) of IPC. In normal circumstances, this Court would relegate the applicant to move the jurisdictional Court for relief. The petitioner however makes it clear that he is based only in Madurai and that considering his performance, his employer had offered him trip to visit the foreign countries for sightseeing purpose. He only wants tourist visa.

5. The petitioner gives an undertaking before this Court that only after the conclusion of the criminal case, he would go abroad for other purposes.

6. Recording the said undertaking, I direct the first respondent to re-issue



W.P(MD)No.19380 of 2022

the passport to the petitioner. But the validity period will be limited to two years. The petitioner can of-course go abroad on tourist visa.

7. The Writ Petition is allowed on these terms. No costs.

24.08.2022

Index : Yes / No
Internet : Yes/ No
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To

Inspector of Police,
Vadipatti Police Station,
Madurai District.

G.R.SWAMINATHAN, J.



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W.P(MD)No.19380 of 2022

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