



W.P.(MD)No.19812 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.19812 of 2022

Sornalingam

... Petitioner

Vs

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

2.The Superintendent of Police,
Sivagangai District.

3.The Inspector of Police,
Aravayal Police Station,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to renew Indian Passport of the petitioner vide passport number vide No.H4070275 dated 30.03.2009, on the strength of the application vide file No.MD 1074356040922 dated 29.06.2022 within specified period.



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For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.R.Nandakumar
Central Government Standing Counsel for R.1

Mr.M.Prakash
Additional Government Pleader for R.2

Mr.R.Sivakumar
Government Advocate (Crl.Side) for R.3

ORDER

Heard the learned counsel on either side.

2. The petitioner seeks renewal of his passport. When the matter was taken up for hearing, the learned Government Advocate submitted that S.T.C.No.961 of 2017 is pending on the file of Judicial Magistrate Court, Devakottai. Since criminal case is pending against the petitioner, the petitioner has to necessarily move the jurisdictional Magistrate Court. The petitioner is permitted to move the same. It is also stated that there is another case pending against the petitioner and it is at the FIR stage. It is well settled the pendency of the criminal case at the FIR stage cannot operate as an impediment for grant of relief.

3. The learned trial Magistrate shall dispose of the Miscellaneous Petition to be filed by the petitioner on merits and in accordance with law within a period of three weeks after such filing.



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4. With this liberty to the writ petitioner and direction to the learned trial

Magistrate, this writ petition is disposed of. No costs.

26.08.2022

Index : Yes / No

Internet : Yes/ No

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To

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