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W.P.(MD)NO.20070 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.20070 of 2022

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... Petitioner

Vs.

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

2. The State rep. By,
The Inspector of Police, Melur Police Station,
Madurai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to re-new the petitioner's passport in passport No. K3018262 vide Application No.MD1073913975522 dated 27.01.2022 by considering the petitioner's explanation dated 18.08.2022 within the time frame to be fixed by this Court.

For Petitioner : Mr.T.Palanisamy

For R-1 : Mr.V.Malaiyendran,
Central Government
Standing Counsel.

For R-2 : Mr.R.Sivakumar,
Government Advocate.

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ORDER

Heard the learned counsel on either side.

2. The petitioner was holding an Indian passport. He seeks renewal of the same.

3. Two cases have been registered against the petitioner. One case was registered in Crime No.823 of 2018 for the offences under Sections 8 and 9 of Tamil Nadu Gaming Act, 1930 and the other case was registered in Crime N.749 of 2021 for the offences under Section 379 I.P.C. and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957. Therefore, the first respondent did not process the petitioner's application.

4. It is now stated by the learned Government Advocate appearing for the second respondent that one case is pending at FIR stage and in the other case, cognizance to be taken. Since the case against the petitioner is only at the pre-cognizance stage, there is no impediment for processing



the petitioner's request for renewal of passport. Therefore, the first respondent is directed to renew the passport to the petitioner by considering the petition mentioned application subject to fulfilment of other formalities.

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

29.08.2022

Index : Yes / No
Internet : Yes/ No

PMU

To:

1. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi, Race Course Road,
Madurai – 625 002.
2. The State rep. By,
The Inspector of Police, Melur Police Station,
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G.R.SWAMINATHAN,J.

PMU

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