

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.10.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.22630 of 2022

R.Ranjithkumar

.. Petitioner

Versus

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

2.The Inspector of Police,
Keelavalavu Police Station,
Madurai.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to issue passport to the petitioner, by considering his application, dated 11.08.2022, in File No.MD 1064487414922 and his explanation, dated 02.09.2022.

For Petitioner	:	Mr.B.Santhanam Rajesh Kumar
For 1 st Respondent	:	Mrs.L.Victoria Gowri Assistant Solicitor General of India
For 2 nd Respondent	:	Mr.B.Thanga Aravindh Government Advocate (Criminal side)

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to issue passport to him, by considering his application, dated 11.08.2022, in File No.MD 1064487414922 and his explanation, dated 02.09.2022.

2.The case of the petitioner is that he studied only upto 12th Standard. Due to poverty, he could not continue his further studies and now, he is doing Coolie work. In order to earn more money for his mother's medical treatment and also for his family expenses, he decided to go to abroad for labour work. Hence, he applied for passport before the first respondent on 11.08.2022. Thereafter, on 07.06.2022, he received a communication from the first respondent stating that they have received an adverse police verification report corresponding to his application. In the said report, it is informed about pendency of a criminal case against him in Crime No.303 of 2018 under Sections 147, 148, 341, 294(b), 323, 324 and 506(ii) of I.P.C., on the file of the second respondent Police. On receipt of such information, the first respondent issued the above communication dated 31.08.2022, asking the petitioner to submit his explanation. Subsequently, the petitioner has approached the first respondent and given his explanation and also submitted his written explanation on 02.09.2022, stating that the said criminal case is

relating to only bursting of crackers at the time of Diwali and there was some quarrel between one Packiyarasu, who is the friend of the petitioner and Anand. Therefore, the second respondent Police falsely implicated the petitioner in the above said case without conducting a proper enquiry.

3.The petitioner further submits that there was no criminal intention on his part to do such act and his explanation dated 02.09.2022, may be considered by the first respondent.

4.The learned Assistant Solicitor General of India appearing for the first respondent submits that the petitioner has sent his explanation only recently and the same would be considered and appropriate orders would be passed on merits and in accordance with law within a time frame to be fixed by this Court.

5.Recording the above said submission made by the learned Assistant Solicitor General of India, this Writ Petition is disposed of directing the first respondent to consider the explanation submitted by the petitioner, dated 02.09.2022, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.
No costs.

Index : Yes/No
smn2

11.10.2022

To

- 1.The Regional Passport Officer,
Regional Passport Office,
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Madurai – 625 002.
- 2.The Inspector of Police,
Keelavalavu Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P.(MD)No.22630 of 2022

V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P.(MD) No.22630 of 2022

11.10.2022