



W.P.(MD)No.26569 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.11.2022

CORAM

THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.26569 of 2022

S.Jeyaraman

.. Petitioner

Versus

1.The Regional Passport Officer,
Regional Passport Office,
Race Course Road,
Madurai – 2.

2.The Passport Granting/Issuing Officer,
Passport Seva Kendra,
No.13, South Bye-Pass Road,
Xavier Colony,
Tirunelveli – 627 005.

3.The Inspector of Police,
Alangulam Police Station,
Tenkasi District.

.. 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 re-issue the Passport (Passport No.K9962785) to the petitioner in Application No.MD2061836397913, dated 10.10.2022, by considering the representation given by the petitioner dated 18.11.2022, within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For Respondents 1 and 2 : Mr.V.Malaiyendran
Central Government Standing Counsel



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For 3rd Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

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ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to re-issue the Passport (Passport No.K9962785) to him in Application No.MD2061836397913, dated 10.10.2022, by considering the representation given by him, dated 18.11.2022, within the time to be stipulated by this Court.

2. Heard Mr.I.Pinaygash, learned counsel appearing for the petitioner; Mr.V.Malaiyendran, learned Central Government Standing Counsel, who takes notice for the respondents 1 and 2; and Mr.R.M.Anbunithi, learned Additional Public Prosecutor, who takes notice for the third respondent. By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the learned counsel for the petitioner, the petitioner has a Passport, bearing No.K9962785, which is valid upto 31.03.2023. Now, he wants to visit the tourist place of Bangkok through Thailand Tour Package, for the period from 16.12.2022 to 20.12.2022, for which, he already booked a flight ticket. Since six months validity is very much required for the petitioner to go abroad, the travel agency insisted him to get renewal of Passport



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immediately. Therefore, on 10.10.2022, the petitioner applied for re-issuance of the Passport. However, the first respondent orally refused to re-issue the Passport on the ground that a case in Crime No.537 of 2021 was registered by the third respondent Police against the petitioner for the offences under Sections 143, 269, 270 and 283 of I.P.C. Thereafter, the petitioner has sent a detailed representation, dated 18.11.2022, to the first respondent, narrating all the facts to prove his innocence and requested him to re-issue the Passport. Since the same has not been considered so far, the petitioner has approached this Court seeking the relief stated supra.

4. The learned Additional Public Prosecutor appearing for the third respondent Police submitted that the petitioner participated in the agitation against the amalgamation of Dr.J.Jayalalithaa University with the Anna University, Chennai, along with 59 others, by violating the COVID-19 Pandemic Rules, and therefore, the above said case has been registered against them and the same is pending.

5. Considering the aforesaid facts and circumstances of the case and also considering the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the first respondent to consider the representation of the petitioner, dated 18.11.2022,



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and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No

25.11.2022

Note:- Issue order copy on 01.12.2022.

To

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- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.BHAVANI SUBBAROYAN, J.

smn2

Order made in
W.P.(MD)No.26569 of 2022

25.11.2022