



W.P(MD)No.26871 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26871 of 2022

Mohamadatham

... Petitioner

Vs

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

2.The Superintendent of Police,
Virudhunagar District.
(R.2 is *suo motu* impleaded vide order
of this Court dated 12.12.2022)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to issue a passport to the petitioner by considering the petitioner's application taken on the file as File No.MD1064749020922 within the time that may stipulated by this Court.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents : Mr.K.Ashok Kumar Ram
Senior Panel Counsel for R.1



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Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)
for R.2

ORDER

Heard the learned counsel on either side.

2. The petitioner applied for issuance of passport. The petitioner apprehends that on account of pendency of criminal case against him, application may not be processed.

3. The learned Senior Panel Counsel rightly points out that without giving sufficient time to the respondent to obtain verification, the petitioner has rushed the writ Court.

4. The second respondent is directed to submit his verification report to the first respondent within a period of two weeks from the date of receipt of a copy of this order. If on the date of application, the criminal case against the writ petitioner is only at the FIR stage, then it will not be an impediment for issuing passport to the writ petitioner subject to fulfilment of the other formalities. If on the date of submission of application he had culminated in final report and it has to be taken on file to the jurisdictional criminal Court,



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then the petitioner has to move the jurisdictional Court for relief. After receipt of verification report from the second respondent, the first respondent is directed to dispose of the petitioner's application within two weeks thereafter in the manner indicated above. This writ petition is disposed of accordingly. There shall be no order as to costs.

12.12.2022

Index : Yes / No
Internet : Yes/ No
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To

- 1.The Regional Passport Officer,
Regional Passport Office,
Madurai Bharathi Ula Veethi,
Race Course Road,
Madurai.
- 2.The Superintendent of Police,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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