



W.P(MD)No.27521 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.27521 of 2022

H.Mohamed Thameem

... Petitioner

Vs

1.The Government of India,
Ministry of External Affairs,
New Delhi.

2.The Regional Passport Officer,
Regional Passport Office,
Government of India,
Ministry of External Affairs,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

3.The Inspector of Police,
Mandapam Police Station,
Mandapam,
Ramanthapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondents Impugned communication No. SCN/31382647522 dated 29.11.2022 and quash the same and consequently direct the second



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respondent to renewal of passport bearing no. K8968823 to the petitioner by considering the petitioner's application No. MD01C5091823722 dated 21.11.2022 and for other reliefs.

For Petitioner : Mr.S.Atham Ali

For Respondents : Mrs.L.Victoria Gowri
Assistant Solicitor General of India
for R.1 & R.2

Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)
for R.3

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Assistant Solicitor General of India appearing for the respondents 1 and 2 and the learned Government Advocate (Criminal Side) appearing for the third respondent.

2. The petitioner was holding an Indian passport. He seeks renewal of the same. Since the petitioner got involved in a criminal case, the second respondent did not process the petitioner's application. It is now stated by the learned Government Advocate for the third respondent that the criminal case is pending only at the FIR stage. It has been held time and again that pendency of a criminal case at the FIR stage cannot be an impediment for processing the petitioner's request for issuance of passport. Therefore, the second respondent



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is directed to issue passport to the petitioner by considering the petition mentioned application subject to fulfilment of other formalities.

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

12.12.2022

Index : Yes / No
Internet : Yes/ No
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To

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