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W.P.(MD)NO.27658 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.27658 of 2022 and
W.M.P.(MD)No.21772 of 2022

D.Jeyapal

... Petitioner

Vs.

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

2. The Inspector of Police,
Thilagar Thidal Police Station,
Madurai District.
(Crime No.1784 of 2020)

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notice in No.SCN/313309947/22 dated 13.09.2022 passed by the respondent No.1 and quash the same as illegal and consequently directing the respondent No.1 to issue Passport to the petitioner vide file No.MD1064508501722 within the time stipulated by this Court.



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W.P.(MD)NO.27658 OF 2022

For Petitioner : Mr.K.Dinesh

For R-1 : Mr.T.Mahendran,
Central Government
Standing Counsel.

For R-2 : Mr.R.Sivakumar,
Government Advocate(Crl. Side).

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner seeks issuance of passport.

3. The petitioner's application was processed and police verification report was sought. The police submitted the verification report. Based on the same, the first respondent has issued the impugned communication to the petitioner.

4. It is seen that the petitioner's brother is facing prosecution in two cases. Against the petitioner, only a case under Section 75 of Tamil Nadu City Police Act was registered and that the petitioner also paid fine on 02.03.2022 in



S.T.C.No.593 of 2022 on the file of the Judicial Magistrate No.II, Madurai.

5. Since the two cases referred to in the impugned communication are only against the petitioner's brother and the petitioner is not figuring as accused, the first respondent is directed to consider the petitioner's application and issue passport to the petitioner subject to the fulfilment of the other usual formalities as expeditiously as possible. The impugned communication is quashed. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

15.12.2022

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 Inspector of Police,
Thilagar Thidal Police Station,
Madurai District.



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G.R.SWAMINATHAN,J.

PMU

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