



W.P(MD)No.28012 of 2022

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 22.12.2022**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.28012 of 2022**

Jerson Xavier

... Petitioner

Vs

1.The Regional Passport Officer,  
O/o. The Regional Passport Office Madurai,  
Bharathi Ula Veethi,  
Race Course Road,  
Madurai – 625002.

2.The Inspector of Police,  
Sathankulam Police Station,  
Thoothukudi District.

3.The Sub-Inspector of Police,  
Thattarmadam Police Station,  
Thoothukudi 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 pertaining to the impugned Show Cause Notice in Letter Ref no. SCN/313335233/22 dated 16.09.2022 issued by the first respondent and quash the same as illegal and consequently directing the first respondent to issue Passport to the petitioner.



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For Petitioner : Mr.J.David Ganesan

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

Mr.B.Thanga Aravindh  
Government Advocate (Criminal Side)  
for R.2 & R.3

### **ORDER**

Heard the learned counsel on either side.

2. The petitioner is a holder of an Indian passport. He has been issued with the impugned communication dated 16.09.2022 called upon the petitioner to explain as to why he had suppressed material facts. It appears that the petitioner was shown as involved in Crime No.114 of 2022 on the file of Thattarmadam Police Station.

3. When the matter was taken up for today, the learned Government Advocate (Criminal Side) appearing for the jurisdictional Police inform the Court that final report has since been filed and it has been closed as 'Mistake of Fact'. In view of the subsequent development and in the interest of justice, the impugned communication is quashed. The first respondent is directed to issue passport to the petitioner subject to the fulfilment of other usual formalities.



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4. This writ petition is allowed. There shall be no order as to costs.

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**22.12.2022**

Index : Yes / No  
Internet : Yes/ No  
MGA

To

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G.R.SWAMINATHAN, J.

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