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W.P.No.1850 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.02.2023**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.1850 of 2023

Kathiravan

... Petitioner

Vs

1 The Regional Passport Officer
Regional Passport Office,
New Municipal Complex
Thillai Nagar 7th Cross
Tiruchirappalli 620 018

2 The Inspector of Police
Anaikaranchathiram Police station
Mayiladuthurai District

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the 1st Respondent to renew the petitioner's passport bearing No.J9851428 within the time limit to be stipulated by this Honble Court.

For the Petitioner : Mr.M.Vijaya Ragavan

For the Respondents : Ms.V.Sudha,
Central Government Standing counsel,
for the first respondent
Mr.U.Baranidharan,
Additional Government Pleader,
for the second respondent



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ORDER

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The writ petition has been filed in the nature of Mandamus seeking to the first respondent, the Regional Passport Officer, to renew the passport of the petitioner herein bearing No. J9851428.

2. The petitioner had applied for renewal of his passport which he had received on 27.09.2012. However, it was found that FIR in Crime No. 923 of 2021 had been registered against the petitioner under Sections 294 (b), 323, 324, 448 and 506(i) of IPC.

3. The petitioner is the fourth accused. The FIR has been registered by the second respondent/the Inspector of Police, Mayiladuthurai District.

4. The petitioner had applied for renewal in Application No. TR01C5071532322. The application is still pending.

5. A report has been filed by the learned Additional Government Pleader stating that the investigation is still pending.

6. It is trite in law to point out that the petitioner is only an accused in FIR. He has not been convicted in the manner known to



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law. However mere registration of an FIR would not dis-entitle from seeking renewal of the passport to which he is entitled as a citizen of this Country.

7. A direction is therefore given to the first respondent to proceed with the application and if required get necessary undertakings from the petitioner that he would disclose all the information to the first respondent.

8. The said exercise by the first respondent should be completed within a period of four weeks from the date of receipt of a copy of this order.

9. The writ petition stands disposed of. No costs.

28.02.2023

Index: Yes/no
mrn



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To

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C.V.KARTHIKEYAN, J.
(mrn)

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