



WEB COPY



W.P.No.8133 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 8133 of 2023

Kameshwaran

... Petitioner

Vs.

1. The Regional Passport Officer,
Government of India, Ministry of External Affairs,
Regional Passport Office,
Commercial Complex Opp,
Avinashi Road, Coimbatore.

2. The Inspector of Police,
D-1, Ramanathapuram Police Station,
Coimbatore City, Coimbatore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus Directing the first respondent to consider and decide the application of the petitioner dated 31.05.2022 in file No.CB 1064247200522 in accordance with law and issue the passport to the petitioner within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.P.Pugalenth

For Respondents : Mr.V.T.Balaji, Standing Counsel R1
Mr.E.Veda Bagathsingh, SGP R2

ORDER



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Mr. V.T.Balaji, learned Standing Counsel, and Mr.E.Veda

Bagathsingh, learned Special Government Pleader, takes notice for the respondents 1 and 2 respectively. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.

2. The Writ Petition has been filed seeking a direction to the first respondent to consider and decide the application of the petitioner dated 31.05.2022 in file No.CB 1064247200522 in accordance with law and to issue the passport to the petitioner.

3. It is the grievance of the petitioner that the petitioner has filed an online application before the first respondent for issuance of passport on 26.05.2022. However, till date, no action is taken and hence, the present writ petition has been filed.

4. The learned counsel for the petitioner submitted that on 02.12.2020, one Raji had lodged a complaint before the second respondent. Based on her complaint, the second respondent registered a case against the petitioner in Cr.No.2125 of 2020 under Section 294(b), 354, 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment



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of Women Act, 2002. The said case was foisted against the petitioner and he has not committed any allegation. Therefore, this Court may issue a direction to the first respondent to consider the petitioner's application and pass appropriate orders within the stipulated time as fixed by this Court.

5. On the other hand, the learned Standing Counsel submitted that the first respondent will be considered the application of the petitioner and appropriate orders will be passed on merits within the time frame to be fixed by this court.

6. Heard the learned counsel for the petitioner and the learned Government Counsel appearing on behalf of the respondents and perused the materials available on record.

7. Considering the facts and circumstances of the case and having regard the submissions made by the learned counsel on either side, the first respondent is directed to consider the petitioner's application dated 26.05.2022 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



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WEB COPY 8. With the above direction, the writ petition stands disposed of. No costs.

16.03.2023

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Index : Yes/No

Internet : Yes/No

To

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2. The Inspector of Police,
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M.DHANDAPANI,J

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