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W.P.No.18835 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.18835 of 2023

G.Sudeesh

. . . Petitioner

Vs.

Regional Passport Officer,
Regional Passport Office,
Chennai Royala Towers, No.2 & 3,
IV Floor,
Old No.785, New No.158,
Anna Salai, Chennai-600 002,
Tamil Nadu.

. . . Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue an order or a Direction or a Writ or a Writ more specifically of Writ of Mandamus to directing the respondent to issue the passport to the petitioner as there is no embargo for issuing the same and also the undue delay in issuing it would amount to violation of Art.14 and 21 of the Constitution of India.

For Petitioner : M/s.J.Nagarajan

For Respondents : Mr.T.V.Krishnamachari

Senior Panel Counsel (Central Govt)



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ORDER

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This Writ Petition has been filed for a direction to the respondent to issue passport to the petitioner.

2. Mr.T.V.Krishnamachari, learned Senior Panel Counsel (Central Govt) takes notice on behalf of the respondent.

3. It is the case of the petitioner that he made an application through online on 22.02.2023 seeking issuance of passport, pursuant to which, the passport authority conducted an inspection in Sevvapet Police Station, Thiruvallur District, as to whether any case is pending against the applicant, wherein it was found that FIR is pending against the petitioner. Therefore, the respondents sent a letter to the petitioner calling upon the petitioner to give explanation as to the pendency of the aforesaid FIR. Though, the petitioner gave his explanation, till date, the petitioner's application has not been processed by the respondent authority. Hence, the petitioner is before this Court.



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4. Learned counsel for the petitioner submits that mere pendency of FIR cannot be a bar for issuance of the Passport. Therefore, it would suffice if this Court issues a direction to the Respondent to issue passport to the petitioner, within the time that may be stipulated by this Court.

5. On the above contention, this Court heard the Learned Senior Panel Counsel (Central Govt) appearing for the respondent.

6. In view of the limited relief sought for by the petitioner, this Court without going into the merits of the case, directs the respondent to consider the petitioner's application dated 22.02.2023 seeking issuance of Passport and pass appropriate orders in accordance with law within a period of four weeks from the date receipt of a copy of this order.

7. This Writ Petition stands disposed of with the aforesaid direction.

There shall be no order as to costs.

28.06.2023

Index : Yes / No
Internet : Yes / No
NHS



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M.DHANDAPANI, J

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