



WEB COPY



W.P.No.18548 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.18548 of 2023

Jameel Mohideen

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
3, IV Floor, Old No.785, New No.158,
Anna Salai,
Chennai – 600 002.

2.The Inspector of Police,
Ambur Police Station,
Tirupathur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the first respondent to issue passport to the petitioner pursuant to the application dated 19.10.2022.

For Petitioner : Mr.R.Sunil Kumar

For Respondents : Mr.B.Rabu Manohar
SCGSC [R1]
Mr.E.Veda Bagath Singh
Special Government Pleader [R2]



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ORDER

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This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the first respondent to issue passport to the petitioner pursuant to the application dated 19.10.2022.

2. Mr.B.Rabu Manohar, learned Senior Central Government Standing Counsel takes notice for the first respondent and Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for the second respondent. In view of the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that, he made an application for issuance of passport on 19.10.2022 before the first respondent. However, due to pendency of criminal case, a show cause notice was issued on 05.12.2022 calling for explanation from the petitioner within a period of 30 days. Since the petitioner's passport application was not considered, the petitioner filed the above writ petition before this Court for appropriate directions.



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4. The learned counsel for the petitioner submits that, due to political vendetta, false complaints have been given against the petitioner, based on which, First Information Reports have been registered. He also submits that, it is a settled position of law that the mere pendency of FIR is not a bar for the authority to issue passport to the petitioner.

5. The learned Senior Central Government Standing Counsel appearing for the first respondent submits that the petitioner's application will be considered by the first respondent in accordance with law, within a time frame that may be stipulated by this Court.

6. As rightly contended by the learned counsel for the petitioner, it is a settled position of law that the mere pendency of FIR is not a bar for the authority to issue passport. Therefore, this Court, directs the first respondent to consider the petitioner's passport application dated 19.10.2022 and pass appropriate orders on merits and in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.



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M.DHANDAPANI, J.

sp

7. With the above direction, the Writ Petition is disposed of. No costs.

23.06.2023

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp

To

1.The Regional Passport Officer,
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