



W.P(MD)No.110 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.110 of 2023

Jahir Hussain

... Petitioner

Vs.

1.The Passport Officer,
Regional Passport Office,
Madurai District.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Viruthunagar District.

3.The Inspector of Police,
Sattur Police Station,
Sattur, Viruthunagar.

4.The Inspector of Police,
Rajapalayam North Police Station,
Viruthunagar.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.1 to issue the fresh passport on the application made by the petitioner in MD3074822463522 by considering his representation dated on 29.12.2022.



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For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.B.Rajesh Saravanan,
Senior Panel Counsel for R1.
Mr.B.Thanga Aravindh,
Govt. Advocate (Crl. Side) for R2 to R4.

ORDER

Heard the learned counsel on either side.

2.The petitioner seeks issuance of fresh passport on the strength of the petition mentioned application dated 31.12.2022. Apprehending that his application may not be considered, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) for the respondents 2 to 4 submitted that one of the cases registered against the writ petitioner has since been taken on file in S.T.C.No.1835 of 2020 on the file of the learned Judicial Magistrate, Rajapalayam. It is seen that the case against the petitioner is because of his involvement in a protest held against Citizenship Amendment Act. It is purely political in nature. Registration of such a case and its charge sheeting need not come in the way of the authorities from granting relief to the petitioner. There is no other case against the writ petitioner. Therefore, the first respondent is



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directed to process the petition mentioned application and issue passport to the writ petitioner, if there is no other impediment.

4.The writ petition is allowed accordingly. No costs.

27.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Viruthunagar District.
- 2.The Inspector of Police,
Sattur Police Station,
Sattur, Viruthunagar.
- 3.The Inspector of Police,
Rajapalayam North Police Station,
Viruthunagar.



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G.R.SWAMINATHAN, J.

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