



W.P(MD)No.135 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.135 of 2023

T.Manimaran

... Petitioner

Vs.

1.The Regional Passport Officer,
Madurai Regional Passport Office,
Race Course Road, Madurai,
Madurai District - 625 002.

2.The State Rep By,
Inspector of Police,
Melur Police Station,
Melur Taluk,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to issue / renewal passport to the petitioner on his application, pending in File No.MD1074883307522, based on the petitioner's representation dated 19.12.2022, within the stipulated period as fixed by this Court.

For Petitioner : Mr.S.Arunnithy

For Respondents : Mr.H.Velavadoss,
Senior Panel Counsel for R1.
Mr.B.Thanga Aravindh,
Govt. Advocate (Crl. Side) for R2.



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ORDER

Heard the learned counsel on either side.

2.The petitioner seeks issuance of passport. Apprehending that on account of his involvement in a criminal case, his application may not processed, 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 second respondent submitted that the case registered against the petitioner is pending at the FIR stage. The petitioner is aware that he is figuring as second accused in Crime No.964 of 2014. The petitioner shall furnish his address details with the second respondent including his E-mail. The petitioner gives an undertaking before this Court that if any final report is filed against the writ petitioner and the same is taken on file, on intimation from the second respondent, he shall enter appearance before the jurisdiction Criminal Court. In other words, the petitioner gives an undertaking that on account of his absence from India, the proceeding will not be stalled. I make it clear that if this undertaking is breached, the petitioner will be liable for consequences of contempt proceedings also.



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4. Recording the undertaking of the petitioner, the first respondent is directed to process the petition mentioned application and issue passport to the writ petitioner, if there is any other impediment and subject to fulfilment of other usual formalities.

5. 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:

The Inspector of Police,
Melur Police Station,
Melur Taluk,
Madurai District.



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G.R.SWAMINATHAN, J.

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