



W.P(MD)No.1077 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1077 of 2023

Sasikumar

... Petitioner

Vs

1.The Regional Passport Officer,
Tiruchirapalli, New Municipal
Complex, Thillainagar 7th Cross,
Tiruchirapalli – 620 018.

2.The State represented by
The Inspector of Police,
Thennilai Police Station,
Karur District.

... 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 renew the petitioner passport vide file no is TR2074805154522 dated 25.11.2022 within a time frame fixed by this Court.

For Petitioner : Mr.V.T.Srinivasan

For Respondents : Mr.P.Paulpandi
Senior Panel Counsel for R.1

Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)
for R.2



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ORDER

Heard the learned counsel on either side.

2.The petitioner seeks issuance of passport. He submitted an application before the first respondent. Apprehending that it may not be processed in view of his involvement in a criminal case, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) submitted that the petitioner is figuring as an accused in Crime No.108 of 2022 registered on the file second respondent and final report has since been filed. It is however not yet to be taken on file. I therefore, proceed on the footing that no case is pending against the writ petitioner. There is no impediment for the first respondent to grant the relief sought for in the writ petition.

4.However, the petitioner has to appear before the second respondent and file an affidavit indicating his contact details. The petitioner has to furnish his mobile phone details as well as email details. This is because when the final report already filed is taken on file by the jurisdictional Magistrate, it would be possible to serve summons on the petitioner. The petitioner also must give an



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undertaking that the prosecution initiated against him will not be stalled, on account of his absence in India. If necessary, the petitioner will have to execute Special Vakalath in future so that he can be represented in the proceedings.

5.The petitioner shall file such an affidavit before the second respondent within a period of two weeks from the date of receipt of a copy of this order. After the petitioner complies with the terms set out in the aforesaid undertaking, the first respondent is directed to process the petition mentioned application and issue passport subject to fulfilment of the other usual formalities.

6.This writ petition stands allowed. There shall be no order as to costs.

13.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The Regional Passport Officer,
Tiruchirapalli, New Municipal
Complex, Thillainagar 7th Cross,
Tiruchirapalli – 620 018.

2.The Inspector of Police,
Thennilai Police Station,
Karur District.



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G.R.SWAMINATHAN, J.

MGA

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