



W.P(MD)No.2876 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2876 of 2023

Thavamuruganathan

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bhartahi Ula Street,
Race Course Road,
Madurai – 625 002.

2.The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram 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 petitioner the fresh passport vide file No.MD1064963468523.

For Petitioner : Mr.Venkateswaran

For Respondents : Mr.V.Malaiyendran,
Central Govt. Standing Counsel for R1.
Mr.R.Sivakumar,
Govt. Advocate (Crl. Side) for R2.



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ORDER

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Heard learned counsel on either side.

2.The petitioner seeks issuance of passport.

3.The first respondent received adverse police verification report. Hence, notice was issued to the petitioner on 27.01.2023. Instead of offering his explanation, the petitioner has chosen to file the present writ petition.

4.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that four cases were registered against the petitioner originally. Out of four cases, three cases ended in favour of the petitioner and he was acquitted. The remaining case has also been charge sheeted but it is yet to be taken on file.

5.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 the final reply already filed is taken on file by the jurisdictional Magistrate, it could be



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possible to serve summons on the petitioner. The petitioner also must give an 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.

6.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 complying 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.

7.The writ petition is allowed on these terms. No costs.

20.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.



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G.R.SWAMINATHAN, J.

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