



W.P(MD)No.5839 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.5839 of 2023

A.Raman

... Petitioner

Vs.

1.The Regional Passport Officer

Regional Passport Office,

Bharathi Ula Veethi,

Race Course Road,

Madurai - 625 002.

2.The Inspector of Police

Melur Police Station,

Madurai District.

(Crime No.517 of 2013)

... Respondents



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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to renewal and reissue a passport to the petitioner based on the petitioner's application vide No.MD1074894434722 dated 21.12.2022.

For Petitioner : Mr.A.B.Jeeva

For Respondents : Mr.M.Ashok Kumar - for R1

Standing Counsel

Mr.J.Ashok - for R2

Additional Government Pleader

ORDER

The writ petition has been filed in the nature of a Mandamus seeking a direction against the first respondent /Regional Passport Officer, Madurai, to renew and reissue passport to the petitioner on the basis of application No.MD1074894434722 dated 21.12.2022.

2. In the affidavit filed in support of the writ petition, the petitioner had stated that he was issued with passport No.H0351250 on



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08.09.2008. The passport expired on 07.09.2018. The petitioner had applied for renewal. It was then informed by the first respondent that FIR in Crime No.517 of 2013 for offence under Section 387 IPC had been registered by the second respondent / Inspector of Police, Melur Police Station, Madurai District.

3. The learned Additional Government Pleader has filed a counter affidavit before this Court, wherein, it had been stated that consequent to investigation, final report had been filed before the Judicial Magistrate Court, Melur, but it had not yet been taken cognizance.

4. In view of these facts, since the presumption of innocence runs through criminal jurisprudence in this Country, if the petitioner is otherwise eligible for reissue of passport, a direction is given to the first respondent to proceed further with the application and obtain necessary undertaking if required from the petitioner herein. But at any rate, the respondents cannot deny reissue of the passport. Such exercise must be



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completed by the first respondent within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petition stands disposed of. No costs.

19.04.2023

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

RM



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C.V.KARTHIKEYAN, J.

RM

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