



W.P(MD)No.7197 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2023

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THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.7197 of 2023

Sathiyaraj

... Petitioner

Vs.

1.The Regional Passport Officer
Tiruchirapalli Region,
Tiruchirapalli.

2.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur 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 re-issue a passport based upon the petitioner's passport Application in File No.TR1074660508122, dated 10.10.2022, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.K.Prabhu

For R1 : Mr.S.Sivakumar
Standing Counsel

For R2 : Mr.J.Ashok
Additional Government Pleader



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W.P(MD)No.7197 of 2023

ORDER

The writ petition has been filed in the nature of Mandamus seeking a direction against the first respondent, to reissue passport of the petitioner consequent to an application in file No.TR1074660508122, dated 10.10.2022.

2. The petitioner is the holder of passport No. J0624352 dated 12.01.2011. The said passport had expired and the petitioner had applied for renewal / re-issuance of passport. It was informed that a First Information Report in Crime No.480 of 2021 had been registered against the petitioner herein under Section 194(b), 324 and 506(2) of IPC by the second respondent. The learned Additional Government Pleader was requested to file a status report and it is stated that the matter is still pending investigation.

3. The presumption of innocence runs deep and strong in criminal jurisprudence in this country. The petitioner cannot be disentitled for renewal of the passport, if he is otherwise entitled for the same.

4. A direction is given to the first respondent to obtain necessary undertaking from the petitioner and thereafter proceed to renew the passport, if



W.P(MD)No.7197 of 2023

it is otherwise in order. The said exercise must be completed within a period of three weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of. No costs.

20.04.2023

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

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To

- 1.The Regional Passport Officer, Tiruchirapalli Region, Tiruchirapalli.
- 2.The Inspector of Police, Thiruvonam Police Station, Thanjavur District.



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W.P(MD)No.7197 of 2023

C.V.KARTHIKEYAN, J.

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W.P(MD)No.7197 of 2023

20.04.2023