



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.8311 of 2023

Balamurugan

... Petitioner

vs.

1.The Regional Passport Officer,  
Office of the Regional Passport Officer,  
Bharathiula Street, Alagarkovil Road, Madurai.

2.The Superintendent of Police,  
Office of the Superintendent of Police,  
Sivagangai.

3.The Inspector of Police,  
Thiruvegampet Police Station,  
Sivagangai District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to renew the petitioner's passport in Application No.MD01C5015227322 within a stipulated time that may be fixed by this Court.

|                |                            |
|----------------|----------------------------|
| For Petitioner | :Mr.V.Kannan               |
| For R1         | :Mr.K.Ashok Kumar Ram      |
| For R2 and R3  | :Mr.N.Muthu Vijayan        |
|                | Special Government Pleader |
|                | *****                      |



WEB COPY

## **ORDER**

The Writ Petition has been filed in the nature of a Mandamus seeking a direction against the first respondent, Regional Passport Officer, to renew the passport of the petitioner in Application No.MD01C5015227322. The petitioner holds the passport No.H6826717. It had expired on 07.09.2019.

2.Heard Mr.V.Kannan, learned Counsel for the petitioner, Mr.K.Ashok Kumar Ram, learned Counsel for the first respondent and Mr.N.Muthu Vijayan, learned Special Government Pleader for the respondents 2 and 3.

3.The petitioner filed the aforementioned application seeking renewal. It was informed that an FIR in Cr.No.12 of 2018 had been registered by the third respondent under Section 430 IPC r/w Section 3(3) TNPPDL Act and under Section 21(4) of TNMMDR Act, 1957.

4.It is informed by the learned Special Government Pleader that a



final report had been filed before the Judicial Magistrate, Sivagangai.

WEB COPY

5.The presumption of innocence runs through the criminal jurisprudence in this country. The first respondent may issue notice to the petitioner and get necessary undertaking that he would inform the Judicial Magistrate Court concerned before going abroad and he would also give necessary undertaking that he would inform about the progress of the case to the first respondent. On getting those affidavits, the first respondent may renew the passport of the petitioner, if the petitioner is otherwise eligible for the same. The entire exercise should be completed within a period of four weeks from the date of receipt of a copy of this order.

6.The Writ Petition stands disposed of. No costs.

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

**09.06.2023**

cmr

3/5



To

WEB COPY

1.The Superintendent of Police,  
Office of the Superintendent of Police,  
Sivagangai.

2.The Inspector of Police,  
Thiruvegampet Police Station,  
Sivagangai District.



WEB COPY



**C.V.KARTHIKEYAN, J.**

cmr

Order made in  
W.P.(MD)No.8311 of 2023

09.06.2023