



W.P(MD)No.8500 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.8500 of 2023

I.Vincent Raja

... Petitioner

Vs

1. The Regional Passport Officer
Regional Passport Office,
Thiruchirappalli, New Municipal Complex,
Thillai Nagar 7th Cross,
Thiruchirappalli.
2. The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi, Ramanathapuram District.
3. The Inspector of Police,
Manamadurai Town Police Station,
Manamadurai, Sivagangai District.
4. The Inspector of Police,
Karur Town Police Station, Karur,
Karur District.

... Respondents



W.P(MD)No.8500 of 2023

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 issue the passport to the petitioner on his application in File No. TR2074546848522, dated 01.09.2022 of the first respondent based on the representation of the petitioner, dated 02.01.2023 in a time bound manner.

For Petitioner : Mr.D.Senthil
For R1 : Mr.V.S.Karthick
Standing Counsel
For R2 to R4 : Mr.N.Muthu Vijayan
Special Government Pleader

ORDER

The Writ Petition has been filed in the nature of mandamus seeking a direction against the first respondent/Regional Passport Officer, Thiruchirappalli, to grant passport to the petitioner on application in File No. TR2074546848522, dated 01.09.2022. The petitioner had given subsequent representation on 02.01.2023.

2.The only obstruction for grant of passport was that the respondents 2 to 4 had occasion to register FIRs as against the petitioner herein. In this regard, five cases have been registered against the



W.P(MD)No.8500 of 2023

petitioner.

3. With respect to Cr.No.78 of 2023, registered by the second respondent, it had been stated that the entire issue had been stayed by the High Court in CrI.O.P(MD)No.6388 of 2023. With respect to Cr.No.611 of 2021, again registered by the second respondent, it had been stated that the quash petition is pending before the High Court in CrI.O.P(MD)No.5787 of 2023. With respect to Cr.No.223 of 2016, again registered by the second respondent, it had been stated that the petitioner had been acquitted for all offences. With respect to Cr.No.32 of 2015, registered by the third respondent, it had been stated that the FIR had been closed as mistake of fact. With respect to Cr.No.132 of 2015, registered by the fourth respondent, it had been stated that final report had been filed, but not yet taken cognizance by the jurisdictional Magistrate.

4. The presumption of innocence runs through the criminal jurisprudence. The petitioner had not been convicted for any offence. In one case final report is filed, but the jurisdictional Magistrate has not yet



W.P(MD)No.8500 of 2023

taken cognizance of the same.

4.In view of all these facts, if the petitioner is otherwise eligible, a direction is given to the first respondent to process the application of the petitioner and proceed to issue passport to the petitioner, within a period of three weeks, from the date of receipt of a copy of this order.

5.With the above directions, this writ petition stands disposed of. No costs.

21.06.2023

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



W.P(MD)No.8500 of 2023

To
WEB COPY

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W.P(MD)No.8500 of 2023

C.V.KARTHIKEYAN, J.

PNM

ORDER IN
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