



W.P.(MD)No.11236 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.11236 of 2023

Seema

... Petitioner

Vs.

1. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Racecourse Road,
Madurai – 2.

2. The Inspector of Police,
Melavalavu Police Station,
Madurai District.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent to issue the passport to the petitioner considering the Application in No.MD1075216659923 dated 28.03.2023 within the time stipulated by this Court.



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For Petitioner : Mr.S.Poornachandran
For R1 : Mr.M.Karthikeya Venkatesan
For R2 : Mr.D.Gandhiraj,
Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus, directing the 1st respondent to issue passport to the petitioner, by considering the Application in No.MD1075216659923 dated 28.03.2023 within the time stipulated by this Court.

2. The case of the petitioner is that she is working an Agency Development Manager, HDFC Life Insurance, Madurai Branch. Since her passport is about to expire on 20.10.2023, she applied for renewal of her passport on 28.03.2023 with an application No. MD1075216659923. The first respondent sent a communication stating that an adverse police verification report was received that she is involved in a case in Crime No.167 of 2021 on the file of the 2nd respondent and requesting her to send her explanation in this regard within a period of 30 days. She has also sent her reply to the first respondent on 22.04.2023 that due to



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family dispute, a false complaint has been given against her, based on which, the said case has been registered. Despite the same, her passport application has not been considered. Hence, she filed the present writ petition.

3. The learned counsel for the petitioner would submit that due to family dispute, a false complaint has been given against her, based on which, the said case has been registered. He would further submit that it is a settled position of law that the mere pendency of FIR is not a bar for the authority to issue passport to the petitioner.

4. The learned Standing Counsel appearing for the first respondent would submit that the first respondent will consider the explanation given by the petitioner and take a decision in accordance with law.

5. As rightly contended by the learned counsel for the petitioner, it is a settled position of law that the mere pendency of FIR is not a bar for the authority to issue passport. Therefore, the first respondent is directed



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to consider the petitioner's passport application and take an appropriate decision on it in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

04.05.2023

Index : Yes/No
Internet : Yes/No
CM/ogy

To

1. The Regional Passport Officer,
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M.DHANDAPANI,J.

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