



W.P(MD)No.11514 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.05.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11514 of 2023

Thiruppathi

... Petitioner

Vs

1.The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road,
Tiruchirappalli – 620 008.

2.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to reissue / renew the Passport bearing no. T6086031 to the petitioner by processing his application in File No. TR1072139850719 based on the explanation / representation dated 02.05.2023 within a time limit stipulated by this Court.

For Petitioner : Mr.B.Anandan



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For Respondents : Mr.K.Maharajan
Central Government Standing Counsel
for R.1

Mr.S.Shanmugavel
Additional Government Pleader for R.2

ORDER

Heard the learned counsel on either side.

2. The petitioner submitted an application to the first respondent seeking reissuance of his passport. It is seen that the petitioner is involved in two criminal cases registered on the file of the second respondent. Though final report has been filed, they are yet to be taken on file. I therefore have to proceed on the premise that as on date no criminal case is pending before the Court. Hence there is no impediment for considering the petitioner's request.

3. However, the petitioner has to appear before the second respondent and file an affidavit indicating his contact details. The petitioner has to furnish his mobile phone details as well as email details. This is because if any final report is filed adverse to the petitioner and the same is taken on file by the jurisdictional Magistrate, it could be possible to serve summons on the petitioner. The petitioner also must give an undertaking that the prosecution initiated against him will not be stalled, on account of his absence from India.



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If necessary, the petitioner will have to execute Special Vakalath in future so that he can be represented in the proceedings.

5. The petitioner shall file such an affidavit before the second respondent within a period of two weeks from the date of receipt of a copy of this order. After the petitioner satisfies the first respondent that he has complied with the undertaking mentioned above, the first respondent shall process the petition mentioned application and reissue passport subject to fulfilment of the other usual formalities.

6.This writ petition stands allowed. There shall be no order as to costs.

11.05.2023

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

To

1.The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road,
Tiruchirappalli – 620 008.

2.The Inspector of Police,
Pappanadu Police Station,
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G.R.SWAMINATHAN, J.

MGA

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