



W.P(MD)No.13041 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.13041 of 2023

Appanathan

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Maduri.

2.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram 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 respondents more particularly the 1st respondent to issue passport to the petitioner based on his application dated 03.05.2023 pending in File No.MD1075328387723 before the 1st respondent by accepting the oral explanation given by him within a time frame.

For Petitioner	: Mr.D.Venkatesh
For R1	: Mr.S.Jeya Singh Special Government Pleader
For R2	: Mr.D.Nedunchezian Government Advocate



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ORDER

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The writ petition has been filed in the nature of mandamus seeking a direction to the first respondent, Regional Passport Office, Madurai, to grant passport to the petitioner on the basis of the application dated 03.05.2023 in File No.MD1075328387723.

2.The petitioner applied for passport in the aforementioned application. It was then informed to him that Crime No.197 of 2015 had been registered by the second respondent, the Inspector of Police, Sayalkudi Police Station, Ramanathapuram District, for alleged offence under Section 304A IPC.

3.A status report has been filed by the second respondent wherein it has been stated that the case is still under investigation.

4.In view of that particular fact, since the presumption of innocence runs through the criminal jurisprudence of this Country, a direction is given to the first respondent to process the application of the petitioner and if the petitioner is otherwise eligible proceed to grant passport. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of. No costs.

19.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

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To

1. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Maduri.

2. The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.



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C.V.KARTHIKEYAN, J.

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