



WP (MD) No.13866 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.13866 of 2023

S.Balaiya

... Petitioner

Vs

1.The Passport Officer,
Regional Passport Office,
Tiruchirappalli New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli – 620 008.

2.The Sub Inspector of Police,
Nagudi Police Station,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the 1st respondent to reissue the passport to the petitioner by considering the petitioner's passport application in passport application No.TR1074983554123 dated 18.01.2023, within the time frame as fixed by this Court.

For petitioner : Mr.M.Suresh

For Respondent : Mr.T.Thirupathy

No.1 Central Government Standing Counsel

For Respondent : Ms.D.Farjana Ghousia

No.2 Special Government Pleader



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ORDER

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The petitioner's application for renewal of passport was not considered by the Passport Authority, on the ground that a criminal proceeding is pending as against this petitioner before the Criminal Court.

2.The learned Counsel appearing for the petitioner submits that the petitioner has submitted an application dated 18.01.2023 for renewal of his passport. However, the respondents citing the criminal case pending against the petitioner in Crime No.77 of 2016 for the offence under Sections 294(b), 323, 506(ii) IPC on the file of the Nagudi Police Station, Pudukottai District has not considered the petitioner's request. However, final report has been filed as against the petitioner before the learned Judicial Magistrate, Aranthangi and it has been taken on file in CC.No.58 of 2023, wherein the petitioner has admitted his guilt and paid the fine amount of Rs.5,500/- and the case has been closed. Since the petitioner often visits Malasiya for business, he is urgent need of passport.

3.Considering the submission made by the petitioner, this writ petition is disposed of with a direction to the petitioner to submit a fresh application to the



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respondent passport authority along with the orders passed in CC.No.58 of 2023

within a period of two weeks from the date of receipt of a copy of this order and on such an application is submitted, the 1st respondent shall consider the same and pass orders within a period of four weeks therefrom. No costs.

19.07.2023

dsk

To

- 1.The Passport Officer,
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Tiruchirappalli – 620 008.
- 2.The Sub Inspector of Police,
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B.PUGALENDHI, J.

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