



W.P.(MD)No.18842 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.18842 of 2021

Vijay Bharath

... Petitioner

Vs

1.The Regional Passport Officer,
O/o.The Regional Passport Office,
Bharathi Ula Veethi , Race Course Road,
Madurai – 625 002, Tamil Nadu.

2.The Inspector of Police
Uchipuli Police Station,
Ramanthapuram District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent herein to issue passport to the petitioner by processing the petitioner's application no. MD01CC5016856721 within a stipulated time period in accordance with law on the basis of the representation dated 12/09/2021.

For Petitioner : Mr.C.Senthil Murugan

For R-1 : Mr.S.Sivakumar

For R-2 : Mr.R.Ragavendran,
Government Advocate



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ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the first respondent to process the application submitted by the petitioner for passport within the time frame fixed by this Court.

2. Heard the learned counsel on either side.

3. The first respondent refused to process the application submitted by the petitioner for passport on the ground that an F.I.R. was registered by the second respondent and the petitioner was shown as Accused No.5 in the First Information Report.

4. The learned Government Advocate appearing on behalf of the second respondent submitted that the final report has not been filed in this case.

5. In view of the above, the mere registration of an F.I.R cannot be a ground for the first respondent to process the application for



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the grant of passport. The mere registration of an F.I.R cannot be construed as pending criminal proceedings against the petitioner. That apart, considering the nature of the offence as projected in the F.I.R. and also of the fact that the petitioner has been added as Accused No.5 in the First Information Report, this Court is inclined to issue directions to the first respondent.

6. There shall be a direction to the first respondent to process the application submitted by the petitioner for passport and if the petitioner has satisfied all the other requirements, the passport shall be issued in favour of the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the above directions.

No costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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N.ANAND VENKATESH, J.

tsg

To
The Inspector of Police
Uchipuli Police Station,
Ramanthapuram District.

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