



WP (MD) No. 20404 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.20404 of 2023

Palanikumaran

... Petitioner

Vs

- 1.The Regional Passport officer,
Government of India,
Ministry of External Affairs,
Regional Passport Office Madurai,
Bharathi Ula Veethi,
Race Course road,
Madurai.
- 2.The Passport Officer,
Melakkal Main Road Passport Office,
Kochadai,
Madurai.
Madurai District.
- 3.The Inspector of Police,
Karimedu Police Station,
Madurai.



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4.The Inspector of Police,
Koodal Pudur Police Station,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 & 2 to re-issue passport to the petitioner based upon the petitioner's passport application File No.MD1075376345523CN, dated 18.05.2023 within a time limit stipulated by this Court.

For petitioner : Mr.M.Shakulhameed
For R1 & R2 : Mr.P.Subbaiah
Standing Counsel
For R3 & R4 : Mr.Kottaichamy
Government Advocate

ORDER

The petitioner has approached the passport authorities for re-issuance of passport and filed this writ petition that his application has not been considered.

2.When this writ petition is taken up for hearing today, the learned standing counsel appearing for the respondents 1 & 2 submits



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that based on the adverse police verification report, which they have received from the respondents 3 & 4, a show cause notice, dated 23.06.2023 was issued to this petitioner, calling upon him to offer his explanation. However, the petitioner instead of appearing before the passport authorities has approached this Court.

3.The learned Government Advocate, on written instructions submits that the petitioner was involved in three cases out of which one case was disposed of and two cases have been closed as "further action dropped." A report dated 11.09.2023 has also been submitted before this Court by the Inspector of Police, D3, Koodalpudur Police Station, Madurai.

4.This Court considered the rival submissions made and also perused the materials placed on record.



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5.From the report of the respondents 3 & 4, it appears that three cases, which were registered as against this petitioner were closed in the year 2013 and 2017 respectively. However, on police verification, an adverse report has been submitted before the first respondent, the Regional Passport officer, based on which, a show cause notice was issued on 23.06.2023, which warrants this petitioner to file this writ petition.

6.In view of the above, this writ petition is allowed with a direction to the passport authorities to proceed with the application of the petitioner for re-issuance of passport, if it is otherwise in order. There shall be a direction to the Commissioner of police, Madurai to conduct an enquiry with regard to the manner in which the police verification report has been submitted to the passport authorities and if any false information has been furnished, necessary action has to be



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taken as against the officers, who have provided the false information to the passport authorities. No costs.

19.09.2023

NCC :Yes/No
Index :Yes/No
Internet:Yes
vrn



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To
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- 1.The Commissioner of Police,
Madurai.
- 2.The Regional Passport officer,
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Ministry of External Affairs,
Regional Passport Office Madurai,
Bharathi Ula Veethi,
Race Course road,
Madurai.
- 3.The Passport Officer,
Melakkal Main Road Passport Office,
Kochadai,
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Madurai District.
- 4.The Inspector of Police,
Karimedu Police Station,
Madurai.
- 5.The Inspector of Police,
Koodal Pudur Police Station,
Madurai.



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B.PUGALENDHI, J.

vrn

Order made in
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19.09.2023