



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28063 of 2022 and
W.M.P.(MD)No.22139 of 2022

Lingapprabakaran

... Petitioner

Vs.

1. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Racecourse Road, Madurai – 625 002.

2. The Inspector of Police,
Samayanallur police station,
Madurai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records pursuant to the impugned clarification under Letter Ref.No.SCN/313746915/22 dated 17.11.2022 issued by the 1st respondent and to quash the same as unwarranted and unlawful and further to direct the 1st respondent to renew and issue passport under File No.MD1074695287322 to the petitioner within the time frame fixed by this Court.

For Petitioner : Mr.M.Pitchai Muthu

For R-1 : Ms.L.Victoria Gowri,
Assistant Solicitor General of India.

For R-2 : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side).

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**ORDER**

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Heard the learned counsel on either side.

2. The petitioner is a holder of Indian passport. It was issued on 31.03.2014. He applied to the authorities for renewal of passport. The petitioner has now been issued with the impugned clarification proceedings calling upon him to explain as to how action should not be taken to impound the passport. The first respondent had proceeded on the premise that the petitioner had suppressed the pendency of Crime No.271 of 2014 registered on the file of Samayanallur police station against him.

3. When the matter was taken up for hearing, the learned Government Advocate(Crl. Side) clarified that the case registered against the writ petitioner is pending only at the FIR stage.

4. Therefore, there is no impediment for processing the petition mentioned application. In these circumstances, there is no need to continue the impugned proceedings. The



impugned clarification proceedings are quashed. Therefore, the first respondent is directed to renew and issue passport to the petitioner subject to fulfilment of the other usual formalities.

5.The writ petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

02.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No

PMU

To:

1. The Regional Passport Officer,
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2. The Inspector of Police,
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G.R.SWAMINATHAN,J.

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