



W.P(MD)No.28333 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2023

CORAM

THE HONOURABLE **MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.28333 of 2022

Asarutheen Pakkeer Mohamed

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Street,
Race Course Road,
Madurai-625 002.

2.The Inspector of Police,
Red Hill Police Station,
Madhavaram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to issue passport to the petitioner by considering his application, dated 02.11.2022, in file No.MD 1074732901922.

For Petitioner : Mr.A.V.Arun

For R-1 : Mrs.L.Victoria Gowri
Deputy Solicitor General of India

For R-2 : Mr.R.Sivakumar
Government Advocate (Crl. Side)



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ORDER

Heard the learned Counsel on either side.

2. The petitioner had applied to the first respondent for issuance of passport. Apprehending that his application may not be processed in view of criminal case pending against him, the present writ petition has been filed. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the second respondent submitted that the petitioner is involved in Crime No.1841 of 2021 registered on the file of the second respondent. It is a case arising under NDPS Act. The quantity involved is only intermediate quantity. I wanted to know that the petitioner is having any previous case. The response is that the petitioner is not having any other case registered against him. In the circumstances, since the case against the petitioner is only at FIR stage, there cannot be any impediment to process the petitioner's application. The first respondent is directed to process the petition mentioned application and issue passport to the petitioner subject to fulfilment of the usual formalities. This Writ Petition stands allowed. There shall be no order as to costs.

20.01.2023



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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Btr

To

- 1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Street,
Race Course Road,
Madurai-625 002.
- 2.The Inspector of Police,
Red Hill Police Station,
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G.R.SWAMINATHAN, J.

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