



W.P(MD)No.28681 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28681 of 2022

Sivakumar

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Tiruchirapalli,
New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli - 620 018.

2.The Inspector of Police,
K.Puduppatti Police Station,
K.Puduppatti,
Pudukkottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to issue a Passport to the petitioner by processing his application in File No.TR2064252511122 based on the explanation / representation dated 06.12.2022 within a time limit stipulated by this Court.



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For Petitioner : Mr.E.Balasubramanian

For Respondents : Mrs.L.Victoria Gowri,
Deputy Solicitor General of India for R1.

Mr.B.Thanga Aravindh,
Govt. Advocate (Crl. Side) for R2.

ORDER

Heard the learned counsel on either side.

2.The writ petitioner submitted an application to the first respondent seeking issuance of passport. Since a criminal case has been registered against the petitioner, his application is not being processed. The second respondent clarifies before this Court that the case registered against the writ petitioner is pending only at the FIR stage. Therefore, there is no impediment for processing the petition mentioned 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.

3.At this stage, the learned Government Advocate (Crl. Side) states that the petitioner is still absconding in Crime No.336 of 2020 on the file of K.Pudupatti Police Station. The petitioner has to move the concerned Court



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and obtain anticipatory bail. After the petitioner produces the anticipatory bail order, the first respondent shall comply with the direction now given.

4.The writ petition is allowed accordingly. No costs.

12.01.2023

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

The Inspector of Police,
K.Puduppatti Police Station,
K.Puduppatti,
Pudukkottai District.



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G.R.SWAMINATHAN, J.

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