



W.P(MD)No.28950 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28950 of 2022

and

W.M.P(MD)Nos.22922 & 22923 of 2022

Soundarapandian

... Petitioner

Vs

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

2.The Inspector of Police,
Samayanallur Police Station,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the impugned clarification under Letter Ref. No.SCN/313899389/2022, under File No.MD1074656686522 dated 12.12.2022 by the first respondent and to quash the same as unwarranted and unlawful and further direct the first respondent herein to renew the Passport under File No.SCN/313899389/22, to the petitioner herein, within a time frame as fixed by this Court.



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For Petitioner : Mr.AS.Krishnan

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

Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)
for R.2

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Deputy Solicitor General of India appearing for the first respondent and the learned Government Advocate (Criminal Side) appearing for the second respondent.

2. The petitioner was holding an Indian passport. He seeks renewal of the same. Since the petitioner got involved in a criminal case, the first respondent did not process the petitioner's application. It is now stated by the learned Government Advocate (Criminal Side) appearing for the second respondent that the criminal case is pending only at the FIR stage. It has been held time and again that pendency of a criminal case at the FIR stage cannot be an impediment for processing the petitioner's request for issuance of passport. Therefore, the first respondent is directed to issue passport to the petitioner by considering the petition mentioned application subject to fulfilment of other formalities.



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3. The writ petition is allowed accordingly. No costs. Consequently,
connected miscellaneous petitions are closed.

06.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA
To

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G.R.SWAMINATHAN, J.

MGA

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