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W.P.(MD)NO.29457 OF 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 18.12.2023**

**CORAM**

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

**W.P.(MD)No.29457 of 2023**

Heeralal Khaderkhan

... Petitioner

Vs.

1. The Regional Passport Authority,  
Passport Office,  
Bharathi Ula Street, K.Pudur, Madurai.

2. The Assistant Passport Authority,  
Passport Office,  
Bharathi Ula Street, K.Pudur, Madurai.

3. The Inspector of Police cum Investigation Officer,  
Illicit Granite Quarry Cases,  
Melur Circle,  
Madurai District.

... Respondents

**Prayer:** Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.1 and 2 to re-issue passport to the petitioner with the validity of ten years on the basis of the petitioner's application submitted vide File No. MD1075551813923 dated 10.07.2023 forthwith.

For Petitioner : Mr.R.Anand

For R-1 & R-2 : Mr.K.Govindarajan,  
Deputy Solicitor General of India.

For R-3 : Mr.A.Albert James,  
Government Advocate.

\* \* \*



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**ORDER**

Heard both sides.

2.The petitioner is facing criminal prosecution in connection with illicit quarrying of granite. It is admitted by the petitioner that as many as six cases were registered against the petitioner. Five cases are pending at the committal stage and one case alone has been committed to Special Court. The petitioner seeks re-issuance of passport.

3.The petitioner gives an undertaking that he will file an appropriate application before the learned Judicial Magistrate, Melur as well as Special Court giving an undertaking to make proper arrangements so that the prosecution launched against him will not be stalled on account of his absence from India.

4.Recording this undertaking, I direct the first respondent to renew the petitioner's passport for a further period of ten years. The petitioner's passport will be renewed based on the petitioner furnishing proof before the first respondent that he had filed an appropriate application before the learned Judicial Magistrate, Melur as well as the Special



Court. If the petitioner fails to adhere to the undertaking, consequences will follow.

5.With this direction, this writ petition is allowed. No costs.

**18.12.2023**

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

PMU

**To:**

1. The Regional Passport Authority,  
Passport Office,  
Bharathi Ula Street, K.Pudur, Madurai.
2. The Assistant Passport Authority,  
Passport Office,  
Bharathi Ula Street, K.Pudur, Madurai.
3. The Inspector of Police cum Investigation Officer,  
Illicit Granite Quarry Cases,  
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**G.R.SWAMINATHAN,J.**

PMU

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