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W.P.No.21710 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.21710 of 2024

Santhoshkumar Saravanel

... Petitioner

Vs.

1.The Regional Passport Officer,
Chennai Regional Passport Office,
No.2 & 3, 4th Floor,
Old No.785, New No.158,
Rayala Towers, Anna Salai,
Chennai – 600 002.

2.The Inspector of Police,
Cuddalore O.T. Police Station,
Cuddalore & District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to re-issue the passport by processing the petitioner's application under File No.MA6076668487924 dated 20.06.2024 within a time that may be fixed by this court.

For Petitioner : Mr.G.Balamanikandan



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For Respondents : Mr.A.Veeramani
Central Government Counsel [R1]
Mr.L.Baskaran
Government Advocate (Crl.Side) [R2]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the 1st respondent to re-issue the passport by processing the petitioner's application under File No.MA6076668487924 dated 20.06.2024 within a time that may be fixed by this court.

2. Mr.A.Veeramani, learned Central Government Counsel accepts notice on behalf of the 1st respondent and Mr.L.Baskaran, learned Government Advocate (Crl.Side) accepts notice on behalf of the 2nd respondent. In view of the consent expressed by the learned counsel appearing for the parties, this petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that, he has been issued with the passport bearing Passport No.M1527289 and the same is valid from 20.08.2014 upto 19.08.2024. As the passport is likely to be expired on



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19.08.2024, he has applied for re-issue passport on 20.06.2024 in Application No.MA6076668487924. During the 1st respondent police verification, it was found that the criminal case in Crime No.402 of 2024 for the offence punishable u/s 279, 337 & 304(A) of IPC on the file of the Traffic Investigation Wing, Adyar is pending against the petitioner. Therefore, the 1st respondent has issued notice dated 04.07.2024 calling upon the petitioner to give explanation with regard to criminal case and also submit final case order, pursuant to which, the petitioner has sent his reply dated 10.07.2024 stating that in the said case, charge sheet was filed in C.C.No.892 of 2023 on the file of the learned Judicial Magistrate No.1, Alandur and the petitioner was arrayed as A2 and he was regularly appearing before the trial court. Even thereafter, there was no response from the 1st respondent. Therefore, the petitioner has filed the above writ petition before this court for appropriate orders.

4. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the 1st respondent to consider the petitioner's application vide Application No.MA6076668487924 dated



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20.06.2023 and renew the passport, within a time frame that may be fixed by this Court.

5. Learned Government Advocate (Crl.Side) appearing for the 2nd respondent submitted that, since the trial is pending as against the petitioner and the offence charged as against the petitioner is heinous in nature, the petitioner is not entitled for re-issuance of passport and thereby, the 2nd respondent has forwarded the objection to the 1st respondent. Therefore, on instructions, he submitted that, this court may direct the 1st respondent to consider the petitioner's application dated 20.06.2023 along with objection made by the 2nd respondent in accordance with law.

6. Learned Central Government Counsel appearing for the 1st respondent submitted that the petitioner's application dated 20.06.2023 will be considered along with the objection made by the 2nd respondent and appropriate orders will be passed, as expeditiously as possible.

7. In view of the above submissions, this court, without going into



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the merits of the case, directs the 1st respondent to consider the petitioner's application vide File No.MA6076668487924 dated 20.06.2023 seeking renewal of passport along with the objection made by the 2nd respondent police and pass appropriate orders, on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

06.08.2024

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To

1.The Regional Passport Officer,
Chennai Regional Passport Office,
No.2 & 3, 4th Floor,
Old No.785, New No.158,
Rayala Towers, Anna Salai,
Chennai – 600 002.

M.DHANDAPANI, J.



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2.The Inspector of Police,
Cuddalore O.T. Police Station,
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