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W.P.No.21718 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

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**THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN**

W.P.No.21718 of 2024

Karthi

... Petitioner

Vs

1. The Regional Passport Officer,  
Regional Passport Office,  
New Municipal Complex,  
Thillai Nagar 7<sup>th</sup> Cross,  
Tiruchirappalli – 620 018.

2. The Inspector of Police,  
Anaikaranchathiram Police Station,  
Mayiladuthurai District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to reissue a passport to the petitioner, by considering his Application No. TR7076733320324, which was submitted on 03.07.2024, within the time limit to be stipulated by this Court.

For Petitioner : Mr. M.Vijaya Ragavan  
For Respondents : Mr. A.Veeramani,  
Central Government Standing Counsel  
(for R1)



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Mr. S.Vinoth Kumar,  
Government Advocate (Crl. Side)  
(for R2)

## **O R D E R**

With consent of both sides, this Writ Petition has been taken up for disposal at the admission stage itself.

2. This Writ Petition has been filed to direct the first respondent to reissue a passport to the petitioner based on his application dated 03.07.2024, within a time limit to be fixed by this Court.

3. Upon enquiry, it was found that an F.I.R. in Crime No. 871 of 2020 is pending against the petitioner on the file of the second respondent for offences under Sections 147, 294(b), 324, and 506(ii) of the IPC. Therefore, the petitioner's application is pending. However, even as per the Notification issued by the Central Government in GSR No. 570(E), Ministry of External Affairs, dated 25.08.1993, the pendency of criminal proceedings cannot be a bar for the grant of a passport.



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4. The learned Government Advocate (Crl. Side) appearing for the second respondent submitted that the investigation has now been completed and a final report is about to be filed. If the petitioner is arrayed as an accused in the charge sheet to be filed in Crime No. 871 of 2020, only after obtaining permission from the Court, he can visit abroad as per the Notification in GSR No. 570(E), Ministry of External Affairs, dated 25.08.1993.

5. In view of the above, the first respondent is directed to consider the application dated 03.07.2024, submitted by the petitioner for re-issuance of a passport, and pass orders within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

02.08.2024

Index:Yes/No  
Neutral Citation/Yes/No



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To

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**G.K.ILANTHIRAIYAN, J.**

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