

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26721 of 2024
and WMP.No.29229 of 2024

Arun Kumar

... Petitioner

Vs.

1. The Regional Passport Officer,
Government of India, Ministry of External Affairs,
Regional Passport Office,
Old No.785, New No.158, Anna Salai Chennai-2.

2. The Inspector of Police,
B-3 Taluk Police Station,
Kancheepuram.

3. The Inspector of Police,
B2, Vishnu Kanchi Police Station,
Kancheepuram.

4. The Inspector of Police,
District Crime Branch,
Kancheepuram District,
Kancheepuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to issue fresh passport to the petitioner as per Application No.MA51C5037924323 dated 03.05.2023 within a time frame as fixed by this Court.

For Petitioner : Mr.P.Solomon Francis

For Respondents : Mrs.K.Sudha R1
Mr.L.Baskaran, GA (Crl side) R2& R3

ORDER

By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.

2. The Writ Petition has been filed seeking a direction to the first respondent to issue fresh passport to the petitioner as per Application No.MA51C5037924323 dated 03.05.2023 within a time frame as fixed by this Court.

3. It is the grievance of the petitioner that the petitioner is a passport holder. For renewal of passport, he made an application on 03.05.2023 to the first respondent. While processing the application, the first respondent has sought for verification from the respondents 2,3 and 4 and they have given adverse report. Therefore, the petitioner was given a show cause notice on 11.05.2023 seeking clarifications regarding pendency of the criminal cases. On 31.05.2023 he gave explanation along with documents and the same is pending. Hence, the petitioner filed the present petition seeking an appropriate directions.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the first respondent to consider the petitioner's application and pass appropriate orders by concluding the proceedings within the stipulated time as fixed by this Court.

5. On the other hand, the learned Standing Counsel submitted that if the petitioner will give undertaking in terms of Notification No.GSR.570(E)(d) dated 25.08.1993, the first respondent will be considered the application of the petitioner and appropriate orders will be passed on merits within the time frame to be fixed by this court.

6. Heard the learned counsel for the petitioner and the learned Government Counsel appearing on behalf of the respondents and perused the materials available on record.

7. Considering the facts and circumstances of the case and having regard the submissions made by the learned counsel on either side, the first respondent is directed to conclude the proceedings, on merits and in accordance with law, if the petitioner produces his undertaking, within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

12.09.2024

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To

1. The Regional Passport Officer,
Government of India, Ministry of External Affairs,
Regional Passport Office,
Old No.785, New No.158, Anna Salai Chennai-2.

2. The Inspector of Police,
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Kancheepuram.

3. The Inspector of Police,
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4. The Inspector of Police,
District Crime Branch,
Kancheepuram District,
Kancheepuram.

M.DHANDAPANI,J

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