



W.P.No.31830 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:25.10.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.31830 of 2024

Katturaja

.. Petitioner

/versus/

1.The Regional Passport Officer,
Regional Passport Office,
Tirchirapalli,
New Municipal Complex,
Thillai Nagar, 7th Cross,
Tiruchirapalli 620 018.

2.The Inspector of Police,
Thoothur Police Station,
Ariyalur District.
(Crime No.106/2023)

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 1st respondent herein to consider the petitioner's online application dated 29.05.2024 and issue appropriate order within the time limit fixed by this Hon'ble Court.



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For Petitioner :Mr.B.Gopalakrishnan
For Respondents :Mr.K.M.D.Muhilan
Govt.Advocate (Crl.Side)

ORDER

The petitioner herein has applied for renewing his passport on 31.05.2024. The Regional Passport Office, Tiruchirapalli, has sought for certain clarification from the petitioner through notice dated 26.06.2024 and directed him to give his explanation within 30 days. The reason for seeking clarification is pendency of the criminal case against this petitioner in Thoothur Police Station registered in Crime No.106 of 2023 under Section 21(1) of Mines and Minerals (Development & Regulation Act, 1957 r/w 379 of IPC. The petitioner has not given any explanation to the passport Authority, however, he had come to this Court by filing a Writ of Mandamus.

2. The learned Government Advocate (Crl.Side)states that a case of sand theft was registered against this petitioner by the Thoothur Police Station and final report has been filed before the Judicial Magistrate No.II, Ariyalur.



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3. Since the criminal case is pending against this petitioner, the Regional Passport Authority has sought for explanation. The petitioner has to explain the circumstances under which the case been registered against him and how it will not be an impediment for renewal of his passport.

4. Instead of submitting his explanation, he has approached this Court, which according to this Court is a pre-mature exercise of his right.

5. As a result, this Writ Petition is disposed of giving liberty to the petitioner herein to explain before the Passport Authority regarding the case pending against him. Based on his explanation, the Regional Passport Authority to take appropriate decision whether to renew his passport or not. No costs.

25.10.2024

Index:yes/no
Internet:yes/no
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To:

- 1.The Regional Passport Officer, Regional Passport Office,
Tirchirapalli, New Municipal Complex,
Thillai Nagar, 7th Cross, Tiruchirapalli 620 018.
- 2.The Inspector of Police, Thoothur Police Station,
Ariyalur District.
- 3.The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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