



W.P.No.33263 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.33263 of 2024

S.Jagan Mohan

.. Petitioner

Vs.

1. The Regional Passport Officer,
Royala Towers,
158, Anna salai,
Chennai-600 002.

2. The Inspector of Police,
S-15, Selayur Police Station,
Chennai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st respondent to consider the petitioner's Application file Number: MA3066857855524 dated 19.08.2024 to issue passport without any delay.



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For Petitioner : Mr.N.Vijayaraj
For R1 : Ms.R.Durga Rani, CGSC
For R2 : Mr.L.Baskaran, Govt. Adv. (Crl.side)

ORDER

The writ petition has been filed in the nature of mandamus seeking a direction to the 1st respondent, the Regional Passport Officer at Chennai to consider the application of the petitioner in File No.MA3066857855524 dated 19.08.2024 and issue passport to the petitioner herein.

2. In the affidavit filed in support of the writ petition, it had been stated that the petitioner had applied for a fresh passport at Chennai Regional Passport Office in the aforesaid file number on 19.08.2024. It had been stated that the First Information Report (F.I.R.) was pending at Selaiyur Police Station in Crime No.143 of 2020 for offences punishable under Sections 384 & 506(ii) of I.P.C.

3. The learned Government Advocate (crl. side) appearing on behalf



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of the 2nd respondent forwarded his status report relating to the aforementioned F.I.R. and stated that after investigation, a final report had been filed for the offences under Sections 384 & 506(ii) of I.P.C. equivalent to Sections 286 & 351(3) of BNS before the learned Judicial Magistrate No.II, Tambaram on 12.11.2024. The final report had not yet been taken cognizance.

4. The fact that the petitioner will have to face the criminal trial, cannot be a ground to deny his passport. The petitioner is a citizen of this Country and is entitled to receive passport. The only restriction to be placed is that, if he goes abroad, then he must get permission and must inform the learned Judicial Magistrate No.II, Tambaram and thereafter, he can go to any country he wants. But his citizenship should be recognised by the authorities and passport must be granted. Therefore, notwithstanding the fact that the final report has been filed by the 2nd respondent against the petitioner, I would direct the 1st respondent to proceed further with the examination of the aforementioned application of the petitioner and if it is otherwise in order, issue the passport to the petitioner herein in the normal



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course of time.

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5. With the above observations, this writ petition stands disposed of.

No costs.

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Index: Yes/No

Internet: Yes/No

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To

1. The Regional Passport Officer,
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C.V.KARTHIKEYAN,J.

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