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W.P.No.37694 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.37694 of 2024

S.Siva

Vs

... Petitioner

1. The Regional Passport Officer,
Regional Passport Office, Tiruchirapalli
New Municipal Complex, Thillainagar,
7th Cross, Trichy.

2. The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India seeking issuance of Writ of Mandamus, directing the first respondent to issue passport in pursuant to the petitioner's application dated TR2067012068124, dated 09.10.2024.



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For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondents : Mr. A.Veeramani, Central Government Counsel
for first respondent

Mr.L.Baskaran, Government Advocate (crl.side)
for second respondent

ORDER

The petitioner herein seeks a direction to the first respondent to issue passport pursuant to his application dated 09.10.2024, in reference No.TR2067012068124.

2. It is the case of the petitioner that, he had applied for issuance of Passport. He received a show cause notice dated 04.11.2024, directing the petitioner to give explanation to the adverse police report received by the first respondent. The petitioner has also submitted his explanation before the first respondent in person on 6.11.2024 stating that the criminal case pending against the petitioner is only under investigation. Thereafter, the request of the petitioner seeking issuance of passport was not processed by the respondents. Hence, he has come before this court.



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3. Mr.A.Veeramani, learned Central Government Counsel takes notice for the first respondent and Mr.L.Baskaran, learned Government Advocate takes notice for the second respondent.

4. The learned Government Advocate appearing for the second respondent filed a status report stating that a criminal case was registered on the file of the second respondent against the petitioner in Crime No.449/2022 under Sections 294(b), 323, 324, 506(i) IPC. It is further stated that investigation in the above case was already completed and charge sheet was filed before the Judicial Magistrate-I, Thittakudi and the same is yet to be taken on file.

5. In view of the status report filed by the second respondent, as on today, no proceeding is pending against the petitioner in a criminal court in India within the meaning of Section 6(2)(f) of Passport Act. In such circumstance, there may not be any impediment for the first respondent to process the application filed by the petitioner for issuance of Passport.



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6. Accordingly, the first respondent is directed to consider the application submitted by the petitioner in reference No.TR2067012068124 and pass final orders, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of.
There shall be no order as to costs.

18.12.2024

Index:Yes/No
Internet:Yes/No
mst

To

1. The Regional Passport Officer,
Regional Passport Office, Tiruchirapalli
New Municipal Complex, Thillainagar,
7th Cross, Trichy.

2. The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.



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S.SOUNTHAR, J.

mst

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