



W.P.(MD).No.518 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 19.01.2024**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN**

**W.P.(MD).No.518 of 2024**

Umar Farook

... Petitioner

vs.

1.The Passport Officer,  
Regional Passport Office Madurai,  
Bharathi Ula Veethi,  
Race Course Road,  
Madurai 625 002.

2.The Inspector of Police,  
Devakottai Town Police Station,  
Sivagangai District.

... Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the first respondent to re-issue a passport to the petitioner based on his application No. MD1075565690523 dated 12.07.2023 by considering his representation dated 02.01.2024 within the time stipulated by this Court.

For Petitioner : Mr.J.Sulthan Basha

For R1 : Mr.T.Thirupathy

For R2 : Mr.M.Aasha

Government Advocate (Crl.side)



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## **ORDER**

This writ petition has been filed for issuance of a writ of Mandamus, directing the first respondent to re-issue a passport to the petitioner, based on his application No.MD1075565690523 dated 12.07.2023, by considering his representation dated 02.01.2024.

2. According to the petitioner, he has made an application before the first respondent for re-issuance of a passport under Application No.MD1075565690523, dated 12.07.2023. The first respondent sent a letter to the petitioner on 20.07.2023, requesting to explain about Crime No.178 of 2016 pending before the second respondent police. He has been falsely implicated as an accused in Crime No.178 of 2016, based on the complaint preferred by his brother viz., Shajakhan, due to wreck vengeance and the investigation is still pending. After receipt of communication, the petitioner has furnished all the particulars regarding the criminal case. However, till date no action was taken by the first respondent. Hence, the present writ petition has been filed.



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3. The learned counsel appearing for the first respondent has filed a counter stating that the petitioner has responded to the show cause notice only on 02.01.2024 and the matter has been referred to the Superintendent of Police, Ramanathapuram through letter dated 08.01.2024. The reply from Superintendent of Police, Ramanathapuram is awaited. On receipt of reply, the application of the petitioner will be processed in accordance with the provisions of Passports Act, 1967.

4. The learned Government Advocate (Crl.side) appearing for the second respondent would submit that the petitioner has forged the signature of the mother and taken money from her account to the extent of Rs.1,79,06,359/- and Rs.1,73,17,401/- and also taken away the jewels kept in the locker. She would further submit that the charge sheet has been filed before the jurisdictional Court and the same has not been taken on file by the said Court.

5. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.



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6. In view of the serious allegations made against the petitioner, this Court is not inclined to grant the prayer sought for by the petitioner. Hence, this Writ Petition is dismissed. After the charge sheet is taken on file, the petitioner can approach the concerned Court. No costs.

**19.01.2024**

akv

Index:Yes/No

Internet:Yes/No

NCC:Yes/No

To

1.The Passport Officer,  
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**V.BHAVANI SUBBAROYAN,J.**

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