



W.P(MD)No.989 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.02.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition(MD)No.989 of 2024

and

W.M.P(MD)No.1011 of 2024

M.Gopinath

... Petitioner

-Vs-

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

2.The Inspector of Police,
Keelavalavur Police Station,
Madurai District.

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the 1st respondent's Impugned communication No. SCN/316387689/23 dated 04.12.2023 and quash the same and consequently direct the 1st respondent to issue passport to the petitioner by considering his application No. MD1065982760523 dated 17.11.2023 and for other reliefs within a period stipulated by this Court.



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For Petitioner : Mr.K.Asra Shifaya
For Respondents : Mr.B.Rajesh Saravanan (for R1)
Mr.G.Suriya Anand
Govt. Advocate (crl. side)

ORDER

This writ petition is filed seeking for issuance of a Writ of Certiorarified Mandamus to call for the records of the 1st respondent's Impugned communication No. SCN/316387689/23 dated 04.12.2023 and quash the same and consequently direct the 1st respondent to issue passport to the petitioner by considering his application No. MD1065982760523 dated 17.11.2023 and for other reliefs within a period stipulated by this Court.

2. The petitioner is working as Driver and he decided to go to abroad. Hence, he made an application to the first respondent for issuance of passport. However, the first respondent has rejected his application vide impugned communication dated 04.12.2023 on the ground that a criminal case in Crime No.274 of 2023 for the offences under Sections 294(b), 323,



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506(ii) IPC is pending on the file of the Keelavalavu Police Station.

Challenging the said impugned communication, he has filed the present writ petition.

3. The learned Government Advocate (criminal side) appearing for the second respondent would submit that there are three criminal cases pending against the petitioner and he is a habitual offender. Subsequent to the issuance of the impugned communication, the petitioner has involved in one another case. Hence, the respondent police has strongly opposed to issuing passport to the petitioner.

4. It is seen from the First Information Reports that the petitioner is a habitual offender. Hence, this Court is not inclined to entertain this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

12.02.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
skn



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V.BHAVANI SUBBAROYAN, J.

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