



W.P.(MD)No.5400 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5400 of 2024

and

W.M.P.(MD).No.5164 of 2024

S.T.Chellapandian

... Petitioner

Vs

1.The Regional Passport Officer,
Regional Passport Office,
Madurai.

2.The Superintendent of Police,
Thoothukudi,
Thoothukudi District.

3.The Deputy Superintendent of Police,
Thoothukudi Sub-Division, Thoothukudi District.

4.The Inspector of Police,
South Police Station,
Thoothukudi.

5.The Deputy Superintendent of Police,
Vilathikulam Sub-Division, Thoothukudi District.

6.The Inspector of Police,
Vilathikulam Police Station, Vilathikulam Taluk,
Thoothukudi District.

... Respondents

*(R-2 to R-6 are impleaded vide court order dated 13.03.2024
in W.M.P.(MD).No.5840 of 2024 in W.P.(MD).No.5400 of 2024)*



W.P.(MD)No.5400 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned notice issued by the first respondent in letter Ref No.SCN/316858485/24 dated 22.01.2024 and quash the same and direct the respondent to issue the passport to the petitioner within the time frame fixed by this Court.

For Petitioner : Mr.P.Pillai Vinayagam
For R-1 : Mr.M.Karthikeya Venkitachalapathy
For R-2 : Mr.A.Albert James
Government Advocate
(Criminal Side)

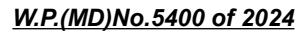
ORDER

Heard both sides.

2. The petitioner challenges the impugned notice dated 22.01.2024 issued by the first respondent seeking certain clarifications. It is not necessary to interfere with the said notice.

3. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that the criminal case registered against the petitioner is pending at the FIR stage.

4. It is well settled that when the case is pending only at the FIR stage, there is no impediment for the Regional Passport Officer to grant relief.



6. Upon the passport authority being satisfied that such an undertaking affidavit has been filed before the jurisdictional police, the jurisdictional Regional Passport Officer shall process the petition-mentioned application and issue passport subject to fulfilment of the other usual formalities. This writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To

- 1.The Regional Passport Officer,
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Thoothukudi District.
- 3.The Deputy Superintendent of Police,
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- 4.The Inspector of Police,
South Police Station,
Thoothukudi.
- 5.The Deputy Superintendent of Police,
Vilathikulam Sub-Division, Thoothukudi District.
- 6.The Inspector of Police,
Vilathikulam Police Station, Vilathikulam Taluk,
Thoothukudi District.



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G.R.SWAMINATHAN, J.

Nsr

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