



W.P(MD)No.6440 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6440 of 2024

Balathandayutham

... Petitioner

Vs.

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

2.The State,
Represented by the Inspector of Police,
Muthaiahpuram Police Station,
Thoothukudi District.

3.The Enforcement Officer,
EPFO, District Office,
Thoothukudi.

... Respondents

*(R3 is suo motu impleaded vide order dated 10.04.2024
in W.P.(MD).6440 of 2024 by GRSJ).*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent not to take any steps to recall the petitioner's passport in Passport No.6446111 or any other action in pursuant to the notice sent by the 1st respondent in SCN/316333175/23 dated 28.11.2023 by considering the petitioner's explanation dated 13.12.2023.



W.P(MD)No.6440 of 2024

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For Petitioner : Mr.S.Vishnuvardhan

For Respondents : Mr.K.Gokul,
Standing Counsel for R1.
Mr.Albert James,
Govt. Advocate (Crl. Side) for R2 & R3.

ORDER

Heard the learned counsel on either side.

2.The petitioner wants this Court to restrain the passport authority from recalling his passport. The reason for issuing the notice was because the petitioner had suppressed the factum of his involvement in Crime No.233 of 2022 on the file of the Thoothukudui South Police Station.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) clarified that the case registered against the petitioner is still pending at the FIR stage. The petitioner through his counsel gives an undertaking that as and when the Provident Fund officials conduct inspection, he will extend his fullest cooperation. This undertaking is recorded. I make it clear that if this undertaking is breached, this Court will not hesitate to initiate action against the petitioner.



W.P(MD)No.6440 of 2024

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4.The petitioner is also directed to offer his explanation in response to the notice dated 28.11.2023 setting out reasons for non-disclosure. Such an explanation will be given by the petitioner within a period of two weeks from the date of receipt of a copy of this order. The petitioner shall also express his unconditional apology to the authorities for not making a frank disclosure. Such an explanation shall be accepted by the first respondent and the matter closed.

5.This writ petition is disposed of accordingly. No costs.

18.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

1.The Inspector of Police,
Muthaiahpuram Police Station,
Thoothukudi District.

2.The Enforcement Officer,
EPFO, District Office,
Thoothukudi.



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W.P(MD)No.6440 of 2024

G.R.SWAMINATHAN, J.

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W.P(MD)No.6440 of 2024

18.04.2024