



W.P.(MD).No.10995 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.10995 of 2024

Vettaiselvam

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Street, Madurai.

2.The Commissioner of Police,
Alagarkovil Road,
Madurai City.

3.The Inspector of Police,
Tallakulam Police Station,
Madurai City,
(In Crime No.689 of 2019)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to act upon the representation of the petitioner dated 22.07.2022 and direct the first respondent not to impound the passport renewed to the petitioner in file



W.P.(MD).No.10995 of 2024

number MD1073374434321 on the file of the respondent dated 01.04.2024 and 17.04.2024.

For Petitioner : Mr.C.Balamuruganantham
For R-1 : Mr.L.G.Vidhyamaheswaran
Central Government Standing Counsel
For R-2 & R-3 : Mrs.M.Asha,
Government Advocate

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The present writ petition has been filed seeking to direct the respondents to act upon the representation of the petitioner dated 22.07.2022 and also to direct the first respondent not to impound the passport renewed to the petitioner in file number MD1073374434321 on the file of the first respondent dated 01.04.2024 and 17.04.2024.

3. Heard Mr.R.Balamuruganantham, learned counsel appearing for the petitioner, Mr.L.G.Vidhya Maheswaran, learned Central Government Standing



W.P.(MD).No.10995 of 2024

Counsel appearing for the first respondent and Mrs.M.Asha, learned Government Advocate appearing for respondent Nos.2 and 3.

4. The petitioner was slapped with a notice by the first respondent in his proceedings in MD1073374434321 that the petitioner is having a criminal case in connection with the case in Crime No.689 of 2019 for the offence under Sections 294(b) and 323 of I.P.C. on the file of the third respondent Police. The petitioner had duly sent an explanation through the post. In the meanwhile, the said crime culminated in CrI.M.P.No.8997 of 2021 on the file of the learned Judicial Magistrate No.II, Madurai. While so, the petitioner approached the learned Magistrate in CrI.M.P.No.8997 of 2021 to terminate the proceedings, since the charge sheet was not filed as against him in the prescribed period as enumerated by the Code of Criminal Procedure. After hearing the both sides, the trial Court allowed the petition by an order dated 23.02.2022 in favour of the petitioner directing the respondent Police to stop further investigation, since the petitioner was neither arrested nor investigation concluded within a stipulated period as per the provision of Section 167(5) of Cr.P.C. Following which, the case as against the petitioner was closed on



W.P.(MD).No.10995 of 2024

25.07.2024 in LF No.1048 / 2024. In view of the same, as on date, no criminal case is pending as against the petitioner.

5. In the result, this Court hereby directs the first respondent to renew the passport of the petitioner and pass appropriate orders on merits and in accordance with law as expeditiously as possible and this Court also directs the second and third respondents to remove the name of the petitioner from the CCTNS Portal of Tamil Nadu Police.

6. This Writ Petition stands disposed of with the above directions. No costs.

15.11.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

TSG

To

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Street, Madurai.



W.P.(MD).No.10995 of 2024

2.The Commissioner of Police,
Alagarkovil Road,
Madurai City.

3.The Inspector of Police,
Tallakulam Police Station,
Madurai City,



WEB COPY



W.P.(MD).No.10995 of 2024

L.VICTORIA GOWRI, J.

TSG

W.P.(MD).No.10995 of 2024

15.11.2024