



W.P(MD)No.13146 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13146 of 2024

Thavamani

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Tiruchirappalli, New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli-620 018.

2.The Inspector of Police,
Gandharvakottai Police Station,
Pudukkottai District.

3.The Inspector of Police,
Pudukkottai Town Police Station,
Pudukkottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st Respondent to issue Passport Book to the Petitioner by considering his passport application in File No. TR1066436289924 dated 08.04.2024 on the file of the 1st Respondent by considering the representation given by the Petitioner dated 04.06.2024.

For Petitioner : Mr.R.Maheswaran



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For Respondents : Mr.V.Malaiyendran
CGSC for R1

: Mr.A.Albert James
Government Advocate (Crl.side) for R2 & R3

ORDER

Heard both sides.

2. The petitioner appears to be a political activist. As many as six cases were registered against him. Since he took part in some agitations, five cases are pending only at the FIR stage. One case has been taken on file.

3. Taking into account the special facts and circumstances of this case, I am inclined to grant relief to the petitioner herein. The petitioner has to appear before the jurisdictional police and file an affidavit indicating his contact details. The petitioner apart from furnishing his residential address must also give his WhatsApp mobile number, e-mail ID. This is because, if any adverse final report is filed and the same is also taken on file by the jurisdictional criminal court, it should be possible to serve summons on the petitioner with the available details. The petitioner shall give an undertaking that the prosecution initiated against him will not be stalled on account of his absence from India. He should undertake that summons can be served on him through E-mail/WhatsApp. If necessary, the petitioner will have to execute a special



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vakalat in future so that he can be represented by his counsel in the proceedings in terms of Section 205 of Cr.P.C.

4.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.

25.06.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
rmi

To

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Tiruchirappalli, New Municipal Complex,
Thillai Nagar 7th Cross,
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2.The Inspector of Police,
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G.R.SWAMINATHAN, J.

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