



W.P(MD)No.16432 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16432 of 2024

Rafeek Mohamed Kasim

... Petitioner

Vs.

1.The Regional Passport Officer,
Tiruchirappalli Municipal Water Tank Building,
W.B.Road,
Trichy – 620 008.

2.The Inspector of Police,
Cyber Crime Police Station,
CCD-III, Trichy,
Trichy District.
(Crime No.9 of 2021)

3.The Inspector of Police,
Thuvarankurichi Police Station,
Trichy District.
(Crime No.113 of 2019)

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to issue passport to the petitioner vide Passport Application No.TR2073563748521.



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For Petitioner : Mr.M.Seeni Sulthan

For Respondents : Mr.K.Govindarajan
Deputy Solicitor General of India
for R.1

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.2 & R.3

ORDER

Heard both sides.

2.The petitioner seeks issuance of passport. He has submitted an application before the jurisdictional passport officer. Apprehending that it may not be processed in view of his involvement in criminal cases, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) submitted that the two criminal cases have been registered against the petitioner. One is pending at the FIR stage and another is closed as 'mistake of fact'.

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.



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7.This writ petition is allowed on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

22.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

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Trichy – 620 008.
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Cyber Crime Police Station,
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Trichy District.
- 3.The Inspector of Police,
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G.R.SWAMINATHAN,J.

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