



W.P(MD).No.18566 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD).No.18566 of 2024

Saraswathi

... Petitioner

Vs.,

- 1.The Passport Officer,
Regional Passport Office,
BharathiUla Veethi,
Race Course Road,
Madurai 625 0022.
- 2.The Commissioner of Police,
O/o., The Commissioner of Police,
Madurai City.
- 3.The Inspector of Police,
S.S.Colony Police Station,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to issue a passport to the petitioner vide File No.MD1066404527324 dated 28.03.2024 by considering the petitioner's representation dated 20.05.2024.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.M.Vaikkam Karunanithi (for R2 & R3)
Government Advocate (Crl.side)
Mr.S.Paramasivam (For R1)
Senior Panel Counsel



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ORDER

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This writ petition has been filed to direct the first respondent to issue a passport to the petitioner vide File No.MD1066404527324 dated 28.03.2024 by considering his representation dated 20.05.2024.

2. Heard Mr.S.M.A.Jinnah, learned counsel appearing on behalf of the petitioner, Mr.S.Paramasivam, learned Senior Panel Counsel, who takes notice for the first respondent and Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl.side), who takes notice on behalf of the respondents 2 and 3.

3. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

4. It is the case of the petitioner that when he has applied for a passport, an adverse report has been sent by the authority on the ground that the police complaint is pending against the petitioner. Hence, he seeks direction.

5. Mr.S.Paramasivam, learned Senior Panel Counsel, would submit that based on the report submitted by the jurisdictional police, such report has been sent.



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6. Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl.side), on instructions, would submit that the petitioner's name has been removed in the final report and he has not been charge sheeted. The said statement is recorded.

7. As the petitioner has not been prosecuted in the alleged complaint registered against him after investigation, the adverse report submitted by the authority stands quashed. The authority shall pursue the application submitted by the petitioner on merits and in accordance with law and pass an appropriate order within a period of two months from the date of receipt of a copy of this order.

8. With the above observation, the Writ Petition stands disposed of. No costs.

05.08.2024

NCC : Yes/No
Index : Yes/No
Rmk



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N.SATHISH KUMAR, J.

Rmk

To

- 1.The Passport Officer,
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