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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.6019 of 2018

Sathik Ali Jailani ... Petitioner

versus

Assistant Passport Officer,
Passport Seventh Kendra
Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai. ... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned letter dated 12.07.2016 issued by the respondent herein and to quash the same as illegal and to direct the respondent herein to grant the passport to the petitioner.

For Petitioner : Mr.C.Sundaravadivel
For Respondent : Mr.P.Subbiah,
Central Government Standing Counsel

ORDER

The petitioner has applied for a passport before the respondent in

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the year 2016. Based on the police verification, the respondent has issued a notice dated 12.07.2016 to the petitioner, calling upon him to appear before the Enquiry Officer along with the required documents. Challenging the same, the petitioner has filed this writ petition.

2. The learned counsel appearing for the respondent submits that the petitioner involved in a criminal case, where, a final report was filed as against him in S.T.C.No.547 of 2015 before the Judicial Magistrate, Nilakottai. Hence, the Police has submitted a verification report about the petitioner's involvement in the criminal case and the respondent has issued the impugned notice. Since the petitioner has not responded to the notice issued by the respondent, his application was closed.

3. The learned counsel appearing for the petitioner submits that the petitioner has filed a quash petition before this Court in Crl.O.P. (MD)No.5137 of 2016 as against the final report filed against him in

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S.T.C.No.547 of 2015 and the same was allowed by this Court, by order dated 11.12.2019.

4. In view of the subsequent development that the final report filed against the petitioner in S.T.C.No.547 of 2015 was already quashed by this Court in Crl.O.P.(MD)No.5137 of 2016, by order dated 11.12.2019 and also considering the fact that the respondent has closed the petitioner's application as he has failed to response the impugned notice, this writ petition is disposed of with liberty to the petitioner to submit a fresh application to the respondent, within a period of four weeks from the date of receipt of a copy of this order. On filing of such application, the respondent shall consider the same within a period of of eight weeks from thereon. No costs.

05.01.2024

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.

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B.PUGALENDHI, J.

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To

Assistant Passport Officer,
Passport Seventh Kendra
Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai.

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