



W.P.(MD).No.20482 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.11.2024

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.20482 of 2023

E.Abthaheer

...Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Madurai Bharathi Ula Veethi,
Race Course Road,
Madurai.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

3.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 1st respondent to proceed the petitioner's application in File No.SAUR25158716 so as to issue police clearance certificate within time frame in the light of the FIR in Crime No.191 of 2023 on the file of the 3rd respondent within time frame as fixed by this Court.



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For Petitioner : Mr.D.S.Haroon Rasheed
For R-1 : Mr.K.Govindarajan
Deputy Solicitor General of India
For R-2 & R-3 : Mr.B.Thanga Aravindh
Government Advocate
(Crl.side)

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the first respondent to process the application submitted by the petitioner to issue police clearance certificate.

2. Heard the learned counsel on either side.

3. The petitioner holds a passport from the passport authority from the year 1995. The passport is also being renewed from time to time. The petitioner got a job offer in Kuwait. He applied for police clearance certificate before the first respondent. He was informed that as per the records, there is some discrepancy and another passport has been issued with the same particulars to some other person. Hence, the petitioner was directed to surrender his passport within a period of thirty days.



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4. The petitioner after coming to know of the above development gave a complaint to the respondent Police and an FIR came to be registered in Crime No.191 of 2023 against one Jamaliya. In this complaint, the petitioner has stated that the accused person has impersonated and fabricated the particulars and got a passport with the same particulars of the petitioner. This FIR is now under investigation.

5. The grievance of the petitioner is that till date, no police clearance certificate has been given and as a consequence, the petitioner is not in a position to join his new employer.

6. Taking into consideration the facts and circumstances of the case, there shall be a direction to the third respondent to verify if there are any adverse antecedents against the petitioner. In the absence of the same, necessary particulars shall be uploaded in the online mode in order to enable the first respondent to issue the police clearance certificate. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order.



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7. This Writ Petition is disposed of with the above directions. No

costs.

28.11.2024

Index : Yes/No

Internet : Yes/No

TSG

To

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Race Course Road,
Madurai.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

3.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Curt,
Madurai.



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N.ANAND VENKATESH.J.,

TSG

**Order made in
W.P.(MD).No.20482 of 2023**

**Dated :
28.11.2024**