



W.P.(MD)No.21276 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.09.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.21276 of 2024

Veeramani

... Petitioner

/Vs./

1.The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillai Nagar 7th Cross Street, Trichy – 620 018.

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to issue passport based on the petitioner's representation dated 30.08.2024 within a time limit stipulated by this Court.

For Petitioner : Mr.Vimal Raj

For Respondents : Mr.V.B.Sundareshwar (R1)

Central Government Standing Counsel

Mr.Vaikkam Karunanithi (R2)

Government Advocate



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ORDER

This writ petition has been filed for a mandamus, seeking for a direction to the first respondent to issue passport, based on the petitioner's application dated 28.04.2023 within a time frame to be fixed by this Court.

2. Heard Mr.Vimal Raj, learned counsel appearing for the petitioner, Mr.V.B.Sundareshwar, learned Central Government Standing Counsel appearing for the first respondent and Mr.Vaikkam Karunanithi, learned Government Advocate appearing for the second respondent.

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

4. Due to the pendency of an FIR against the petitioner, the first respondent is yet to issue a passport to him. The petitioner has also given a representation dated 30.08.2024 subsequent to the submission of the passport application to the first respondent seeking for issuance of the



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passport in his favour. Since the representation has not been considered, the petitioner has filed this writ petition.

5. It is settled law that pendency of an FIR is not a bar for the first respondent to issue passport. However, the first respondent will have to satisfy himself, based on the petitioner's credentials and antecedents as to whether he can be issued passport or not.

6. No prejudice will be caused to the first respondent, if the petitioner's application seeking for issuance of passport is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7. It is also brought to the notice by the learned Government Advocate appearing for the second respondent that the charge sheet is yet to be taken on file. There is no prohibition for the first respondent to issue passport.



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8. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law, on the petitioner's passport application dated 28.04.2023 followed by his representation dated 30.08.2024 within a period of four months from the date of receipt of a copy of this order.

9. With the aforesaid direction, this writ petition is disposed of.

No costs.

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Index : Yes / No

NCC : Yes / No

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TO:-

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ABDUL QUDDHOSE, J.

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Order made in
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Dated:
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