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W.P.(MD) No.22582 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.22582 2024

M.Seeni Nainar Mohammed

...Petitioner

-VS-

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
K.Pudur, Madurai.

2.The Commissioner of Police,
Madurai City,

3.The Inspector of Police,
B1, Vilakuthoon Police Station,
Madruai City.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, directing the first respondent to re-issue the passport to the petitioner by considering the application in File No.MD1075470390923 dated 14.06.2023 preferred before the first respondent in accordance with law within the time stipulated by this Court.

For Petitioner
For R1

: Mr.S.Mohamed Ansar
: Mr.V.B.Sundhareshwar
Central Government Standing Counsel



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For R2 & R3

: Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)

ORDER

Heard both sides.

2.The petitioner seeks re-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 a criminal case, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that there are four criminal cases registered against the petitioner and on the basis of the accusation made against him, the respondent police have opened a "history-sheet" with regard to the petitioner.

4.The learned counsel for the petitioner submits that the all cases registered against the petitioner have already ended in acquittal and only the name of the petitioner is included in the register of history sheeted's lists.

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5.The said submission is also not denied by the learned Government Advocate (crl.side) for the respondents 2 and 3.

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6.This Court is of the view that mere inclusion of the petitioner's name in the History Sheet list cannot lead to denial of issuance of passport. Since the criminal cases registered against the petitioner are ended in acquittal, there is no impediment for the authorities for issuing passport.

7.In view of the above, this writ petition is allowed and the first respondent is directed to re-issue the passport to the petitioner at the earliest subject to fulfilment of other usual formalities. No costs.

24.09.2024

Internet : Yes / No
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To

- 1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi, K.Pudur, Madurai.
- 2.The Commissioner of Police, Madurai City.
- 3.The Inspector of Police,
B1, Vilakuthoon Police Station, Madurai City.

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N.SATHISH KUMAR, J.

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