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W.P.(MD) No.25512 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.25512 of 2024

Varatharajan

... Petitioner

-VS-

1.The Regional Passport Officer
Regional Passport Office
new Municipal Complex
Thillainagar 7th Cross
Tiruchirappalli-620 018

2.The Inspector of Police
Aranthangi Police Station
Pudukottai 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 the passport to the petitioner in Application in File No.TR2066915984724 dated 09.09.2024 within the time stipulated by this Court.

For Petitioner : Mr.S.Gurumoorthy

For Respondents : Mr.P.Sundaravadivel
Central Government Standing Counsel for R1
Mr.Vaikkam Karunanithi
Government Advocate (Criminal Side) for R2



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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 in favour of the petitioner, based on his application dated 09.09.2024, within a time frame to be fixed by this Court.

2. Mr.P.Sundaravadivel, learned Central Government Standing Counsel, accepts notice on behalf of the first respondent and Mr.Vaikkam Karunanithi, learned Government Advocate (Criminal Side) accepts notice on behalf of the second respondent.

3. As seen from the affidavit filed in support of this writ petition, only due to the pendency of the first information report against the petitioner, the first respondent has not issued passport in his favour.

4. It is settled law that pendency of first information report will not prohibit the first respondent from issuing passport. If the first respondent is satisfied with the explanation submitted by the petitioner with regard to the



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first information report, the first respondent is empowered to issue passport to the petitioner.

5. For the foregoing reasons, this Court directs the first respondent to consider the explanation submitted by the petitioner with regard to the pendency of first information report against him, on merits and in accordance with law and thereafter, decide as to whether the petitioner is entitled for the passport or not. If the petitioner is found to be entitled for the passport, the first respondent is directed to dispose of the petitioner's application one way or the other, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court is not expressing any opinion on the nature of the first information report pending against the petitioner.

6. With the above directions, this writ petition is disposed of. No costs.

25.10.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

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- 2.The Inspector of Police,
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ABDUL QUDDHOSE, J.

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