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W.P.(MD) No.25685 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.25685 of 2024

Prabhu

... Petitioner

-VS-

1.The Regional Passport Officer
Regional Passport Office
Bharathi Ula Veethi
Race Course Road
Madurai-625 002

2.The Passport Officer
Melakkal Main Road
Kochadai
Madurai-625 016

3.The Inspector of Police
Ponnamaravathy Police Station
(in Crime No.57 of 2024)
Pudukkottai 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 passport to the petitioner based on his file No.MD1067002155524 dated 07.10.2024 within the stipulated time limit as fixed by this Court.



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For Petitioner : Mr.Na.Palaniyandi
For Respondents : Mr.S.Muthukumar
Central Govt. Standing Counsel for R1 & R2
Mr.Vaikkam Karunanithi
Government Advocate (Criminal Side) for R3

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 07.10.2024, within a time frame to be fixed by this Court.

2. Mr.S.Muthukumar, learned Central Government Standing Counsel, accepts notice on behalf of the respondents 1 & 2 and Mr.Vaikkam Karunanithi, learned Government Advocate (Criminal Side) accepts notice on behalf of the third respondent.

3. As seen from the affidavit filed in support of this writ petition, a first information report is pending against the petitioner. Only due to the same, passport has not been issued to the petitioner.



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4. It is settled law that pendency of first information report will not prohibit the first respondent from issuing passport to the petitioner. If the respondents are satisfied with the explanation submitted by the petitioner with regard to the pendency of the first information report against him, they are empowered to issue passport in his favour.

5. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's passport application dated 07.10.2024, after giving due consideration to the explanation submitted by the petitioner with regard to the first information report pending against him and 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.



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

25.10.2024
(1/2)

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

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To:

- 1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai-625 002.
- 2.The Passport Officer,
Melakkal Main Road,
Kochadai,
Madurai-625 016.
- 3.The Inspector of Police,
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ABDUL QUDDHOSE, J.

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25.10.2024

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