



W.P.(MD)No.25727 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2024

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.25727 of 2024

Ramesh

... Petitioner

Vs.

1.The Regional Passport Officer,
O/o. the Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625002.

2.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to renew the petitioner's passport by processing the application No. MDA076587229524 within a stipulated time period in accordance with law on the basis of the explanation cum representation dated 30.07.2024 and 23.07.2024.

For Petitioner : Mr.C.Senthil Murugan

For R-1 : Mr.T.Mahendran,
Central Government Standing Counsel

For R-2 : Mr.Vaikkam Karunanithi,
Government Advocate (Criminal Side)



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ORDER

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2. As seen from the averments filed in support of this Writ Petition, the first respondent has not renewed the passport of the applicant due to the pendency of the First Information Report. The petitioner claims that he has also submitted an explanation with regard to the pendency of the First Information Report against him.

3. It is well settled law that mere pendency of the First Information Report will not prohibit the first respondent from issuing passport. It is for the first respondent to consider the case of the petitioner requesting for renewing his passport on merits and in accordance with law and decide as to whether the applicant is entitled for renewal of his passport or not.

4. No prejudice would be caused if a direction is issued to the first respondent to consider the petitioner's application seeking for renewal of his passport *dehors* pending of the First Information Report and decide depending



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upon the applicants antecedents as to whether he is entitled for renewal of his passport or not.

5. Since there is no prohibition for the first respondent to issue passport despite pendency of the First Information Report, this Court directs the first respondent to pass final orders with regard to the renewal of the petitioner's passport after considering the petitioner's explanation with regard to the pendency of the First Information Report against him on merits and in accordance with law and if the petitioner is found to be eligible for renewal of his passport, the first respondent is directed to renew the same within a period of eight (8) weeks from the date of receipt of a copy of this order. This Court is not expressing any opinion on the merits of the matter.

6. With the above direction, the Writ Petition stands disposed of.

28.10.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG



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To

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ABDUL QUDDHOSE, J.

TSG

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