



W.P.(MD)No.30882 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED 09.01.2024

CORAM

THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.30882 of 2023

Manikandaraja @ Maneesh

...Petitioner

/Vs./

1.The Regional Passport Office,
Madurai Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002,
Tamil Nadu.

2.The Superintendent Enquiry Officer,
The Regional Passport Office,
Madurai Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002,
Tamil Nadu.

3.The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 1st and 2nd respondents to issue passport on the petitioner's application File No.MD01C5092870323 dated 05.10.2023 based on his reply dated 08.12.2023.



W.P.(MD)No.30882 of 2023

For Petitioner : Mr.C.Susikumar
For Respondents : Mr.M.Karthikeya Venkitachalapathy (R1&R2)
Ms.M.Aasha
Government Advocate (R3)

ORDER

This writ petition has been filed for issuance of writ of mandamus, directing the 1st and 2nd respondents to issue passport on the petitioner's application File No.MD01C5092870323 dated 05.10.2023 based on his reply dated 08.12.2023.

2. According to the petitioner, there is a criminal case pending against him in Crime No.246 of 2023 under Sections 341, 294(b), 323, 324 and 506(ii) of IPC. According to him, this is a false case. As per the FIR, two occurrences had been taken place and the petitioner was not at all present in the second occurrence. There is no bar for issuing passport pending FIR. Hence, the petitioner came before this Court with the aforesaid prayer by way of this writ petition.



W.P.(MD)No.30882 of 2023

3. The learned Government Advocate appearing for the third respondent submits that there are criminal cases pending against the petitioner and he has been charged with. Another case in Crime No.5 of 2024 was also lodged against the petitioner and others for the offences under Sections 294(b), 324 and 506(ii) of IPC on 08.01.2024. She has also produced the copy of the FIR before this Court.

4. Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the respondents 1 and 2 and the learned Government Advocate for the third respondent.

5. Considering the fact that the petitioner is having another criminal case, this Court is not inclined to consider the prayer for issuing passport to the petitioner. Accordingly, this writ petition is dismissed. No costs.

09.01.2024

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



WEB COPY



W.P.(MD)No.30882 of 2023

V.BHAVANI SUBBAROYAN, J.

sm

TO:-

- 1.The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.

Order made in
W.P(MD)No.30882 of 2023

Dated:
09.01.2024