



W.P.(MD)No.530 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.530 of 2020

S.Yoosuf

... Petitioner

Vs

1.The Regional Passport Officer,
Regional Passport Office,
Bharathai Ula Street,
Race Course Road,
Madurai-625 002.

2.The Inspector of Police,
Colachel Police Station,
Colachel,
Kanyakumari District.

...Respondents

(Respondent No.2 impleaded vide Court Order dated 04.02.2020
in W.M.P.(MD).No.1773 of 2020 in W.P.(MD).No.530 of 2020)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to reissue passport to the petitioner as per his Application No.MD 2072236380519, dated 27.06.2019, within a stipulated time as fixed by this Court.

For Petitioner : Mr.L.Shaji Chellan

For R-1 : Mr.S.Ponkarthikeyan

For R-2 : Mr.R.Sivakumar

Government Advocate (Criminal Side)



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ORDER

This writ petition has been filed for the issuance of writ of mandamus directing the first respondent to re-issue the passport to the petitioner by considering the application submitted by the petitioner, dated 27.06.2019, within the time stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner as well the learned counsel appearing for the first respondent and the learned Government Advocate (Criminal Side) appearing for the second respondent.

3. The case of the petitioner is that he is a passport holder since the year 2003. The period of his passport expired in the year 2017 and the petitioner applied for re-issuance of passport along with all necessary documents. Pursuant to the submission of the application, the first respondent through a communication, dated 18.05.2017, directed the petitioner to appear for some clarification. On appearance, the petitioner was informed that a criminal case is pending against him in Crime No.205 of 2012 registered by the second respondent Police. Consequently, the first respondent refused to renew the passport application submitted by the petitioner.

4. When the matter was taken up for hearing today, learned Government Advocate (Criminal Side) appearing on behalf of the second



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respondent submitted that the criminal case ended in acquittal in S.T.C.No.1018

of 2019 by Judgment, dated 13.09.2023.

5. In view of the above development, there must be no difficulty for the first respondent to consider the application of the petitioner seeking for re-issuance of passport, since the only ground that was put against the petitioner was the pending criminal case.

6. In the light of the above discussion, there shall be a direction to the first respondent to process the application submitted by the petitioner for re-issuance of passport and issue the passport, subject to the petitioner complying with all other conditions. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

03.10.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg
To

<https://www.mhc.gov.in/judis>
The Inspector of Police,
Colachel Police Station,
Colachel, Kanyakumari District.



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VERDICTUM.IN



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N.ANAND VENKATESH, J.

tsg

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