

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

WP(C).No. 2753 of 2015 (T)

PETITIONER:

**ANJIN MATHEW, AGED 20 YEARS
S/O.MATHEW, KAKKUNNIL PANDINJATTETHIL, KULANADA
KAIPUZHA NORTH P O, PATHANAMTHITTA-689503**

BY ADV. SRI.BIJU ABRAHAM

RESPONDENTS:

**1. REGIONAL PASSPORT OFFICER
REGIONAL PASSPORT OFFICE, TRIVANDRUM, SNSM BUILDING
KARALKADA JUNCTION, PETTAH P O, TRIVANDRUM-695 024**

**2. SUB INSPECTOR OF POLICE
PANDALAM POLICE STATION, PANDALAM
PATHANAMTHITTA DIST-689501**

**3. BINU SAMUEL, AGED 39 YEARS
S/O.SAMUEL, THADATHIL VILAYIL HOUSE, PUTHUVAKKAL
KAIPUZHA NORTH P O, KULANADA-689503**

**R1 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
R2 BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13-02-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 2753 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1:- A TRUE COPY OF THE NOTICE DTD 2/1/2015 OF THE IST RESPONDENT TO
THE PETITIONER**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P. A. TO JUDGE

STK

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 2753 of 2015

Dated this the 13th day of February, 2015

J U D G M E N T

The petitioner has approached the 1st respondent to issue a passport to him and made an application in this regard which was assigned the Number as TV01C5001397514. The case of the petitioner is that, he was served with a notice and despite his appearance on the relevant date offering explanation, the proceedings have not been finalized and no passport has been issued. This made the petitioner to approach this Court by filing the writ petition.

2. The learned standing counsel appearing for the 1st respondent submits on instructions that, the application for passport was submitted by the petitioner on 02.12.2014. Pursuant to the steps taken for verification through the Police, an adverse report was submitted on 22.12.2014, as to the involvement of the petitioner in a criminal case. It was in the said circumstances, that the petitioner was required to reconcile the position by issuing Ext.P1 on 02.01.2015. The petitioner submitted a reply admitting the involvement of the petitioner in

the criminal case. In the said circumstances, the file was closed as no passport could be issued because of the pendency of the criminal case, unless otherwise cleared by the concerned Court. The learned counsel for the petitioner submits that, the petitioner was wrongly implicated as an accused at the instance of the 3rd respondent herein.

3. This Court does not find it necessary to go into the factual position in this regard, in so far as, the petitioner stands implicated as an accused in the concerned criminal case. It is open for the petitioner to approach the concerned Court and get necessary clearance to apply and obtain passport. On obtaining such clearance, the petitioner is at liberty to approach the 1st respondent by filing necessary application, upon which the same shall be considered and appropriate orders shall be passed in accordance with law, without delay.

The writ petition stands disposed of.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.