

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

W.P.(C).No.15881 of 2015 (I)

PETITIONER(S):-

NIDHEESH, AGED 23 YEARS, S/O. RADHAKRISHNAN,
NECHULLI HOUSE, ARIYUR POST,
ARIAMBAVU, PALAKKAD DISTRICT

BY ADVS.SRI.K.M.SATHYANATHA MENON
SRI.A.SANTHOSHKUMAR
SMT.KAVERY S THAMPI
SMT.ANJANA KANNATH.

RESPONDENT(S):-

1. THE CIRCLE INSPECTOR OF POLICE,
KUNNAMKULAM POLICE STATION, KUNNAMKULAM,
THRISSUR DISTRICT, PIN-680 503
2. THE PASSPORT OFFICER, PASSPORT SEVA KENDRA,
SECOND FLOOR, ROWDHA TOWER, NEAR RAILWAY STATION ROAD,
AZHEEKODAN ROAD, POOTHOLE, THRISSUR - 680 667.

* Addl.3. THE REGIONAL PASSPORT OFFICER,
OFFICE OF THE REGIONAL PASSPORT OFFICE,
SHIHAB THANGAL ROAD, PANAMPILLY NAGAR, ERNAKULAM
KOCHI - 682 036.

*[ADDITIONAL 3RD RESPONDENT IS IMPEADED AS PER ORDER
DATED 09.06.2015 IN IA 7373/15].

R1 BY GOVERNMENT PLEADER SMT.C.K. SHERIN.

R2 & R3 BY ASSISTANT SOLICITOR GENERAL OF INDIA SRI.N.NAGARESH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

WP(C).No.15881 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS:-

EXHIBIT P1: TRUE COPY OF THE ORDER DATED 12.1.2015 IN
CRL.M.C. 123 OF 2015 IN CRL. A. NO.15 OF 2015 OF THE
COURT OF THE SESSIONS JUDGE OF THRISSUR.

EXHIBIT P2: TRUE COPY OF THE ORDER DATED 20.6.2014 IN
CRL.M.C. NO.2609 OF 2014.

RESPONDENT(S)' EXHIBITS:-

NIL

vku/-

[true copy]

K. Vinod Chandran, J

W.P.(C).No.15881 of 2015-I

Dated this the 03rd day of July, 2015

JUDGMENT

The petitioner is aggrieved with the fact that no Passport is being issued to the petitioner.

2. Admittedly the petitioner had been accused in two cases; in one of which the petitioner stands acquitted. In the other case, the petitioner is said to have been convicted; but the sentence is suspended, as is evidenced by Exhibit P1. The appeal from the conviction and sentence is pending in Crl.A.No.15 of 2015 before the Sessions Court of Thrissur.

3. In the above circumstance, going by the specific notification, No.GSR 570(E) dated 25.08.1993, of the official respondents as extracted in the statement filed on behalf of the 2nd respondent, the petitioner would have

to approach the appropriate Court for such reliefs. It is appropriate that the petitioner approaches the Sessions Court, Thrissur, whether for expeditious disposal of the appeal or for consideration of the issuance of Passport for a period as deemed fit by the Sessions Court.

The writ petition would stand closed, with the above observation.

Sd/-

K.Vinod Chandran
Judge.

vku/-

[true copy]