

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 15TH DAY OF JULY 2015/24TH ASHADHA, 1937

WP(C).No. 18467 of 2015 (G)

PETITIONER(S):

**GOKUL GOPALAKRISHNAN, AGED 18 YEARS,
S/O GOPALAKRISHNAN KOZHIKKAL NARAYANAN,
KOZHIKKAL HOUSE, AYYAMPILLY P.O,
KUZHUPPILLY, ERNAKULAM- 682 501.**

**BY ADVS.SRI.R.KRISHNAKUMAR (CHERTHALA),
SRI.P.A.IBRAHIM.**

RESPONDENT(S):

- 1. UNION OF INDIA,
REPRESENTED BY ITS SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF MINISTRY OF EXTERNAL AFFAIRS,
PATIALA HOUSE, NEW DELHI- 110 001.**
- 2. THE PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE,
PANAMPILLI NAGAR P.O, ERNAKULAM- 682 036.**
- 3. THE SUPERINTENDENT OF POLICE (RURAL),
ALUVA, ERNAKULAM DISTRICT -682 514.**
- 4. SUB INSPECTOR OF POLICE,
MUNAMBAM POLICE STATION, MUNAMBAM,
ERNAKULAM DISTRICT -682 532.**

**R1 & R2 BY ADV. SRI.N.NAGARESH, ASSIST. S.G. OF INDIA.
R3 & R4 BY GOVT. PLEADER SRI.MANOJ P.KUNJACHAN.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 15-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

WP(C).No. 18467 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXT.P1: A TRUE COPY OF THE EXPLANATION SUBMITTED BY THE
PETITIONER IN RESPONSE TO LETTER REF NO.SCN/302397425/15
DATED 19/02/2015 ISSUED BY THE 2ND RESPONDENT.**

**EXT.P2: A TRUE COPY OF THE LETTER REF NO. SCN/302736047/15
DATED 02/06/2015 ISSUED BY THE 2ND RESPONDENT TO THE
PETITIONER.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

K. VINOD CHANDRAN, J.

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W.P.(C) No.18467 of 2015 - G

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Dated this the 15th day of July, 2015

J U D G M E N T

The petitioner is aggrieved with the fact that the petitioner's application for issuance of a passport is not being processed, for reason of an adverse report on Police verification. Admittedly the report was with respect to pendency of Crime No.72 of 2014 of Munambam Police Station. This Court hence directed the Judicial First Class Magistrate-I, North Parvur, who has jurisdiction over the area, to report on the proceedings pending in the said crime.

2. It has been reported by the Chief Judicial Magistrate Court, Ernakulam by a communication dated 08.07.2015 that a crime was registered against three persons including the petitioner and for reason of the accused Nos. 2 and 3 being minors, their case was split up and the charge sheet was filed before the Juvenile Justice Board (Chief Judicial Magistrate),

Ernakulam. Before the Juvenile Justice Board, no final report has been filed till date. The offences are said to be under Section 118(a) of the Kerala Police Act and Section 160 of the Indian Penal Code. Obviously but for an admonition no other punishment could be levied. The offence also is of having consumed liquor and causing affray in public.

2. In the circumstances explained above, this Court does not find any reason to keep the processing of the passport application pending, for reason of the adverse police report. The Passport Issuing Authority (PIA) shall immediately take up the matter despite the adverse police report, which is only based on the facts stated herein above and process the same in accordance with law, as expeditiously as possible. The PIA shall ignore the report regarding pendency of Crime No.72/2014.

The writ petition is allowed.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //
P.A to Judge.