

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

WP(C).No. 20223 of 2015 (C)

PETITIONER :

**RAFEEQ, AGED 26 YEARS, S/O.ABDU SAMAD,
CHUNKATH HOUSE, KAITHAKKAL, PANAMARAM P.O.,
MANANTHAVADI, WAYANAD DISTRICT,
REPRESENTED BY THE POWER OF ATTORNEY NAFEESA,
AGED 45 YEARS, W/O.ABDU SAMAD, CHUNKATH HOUSE,
KAITHAKKAL, PANAMARAM P.O., MANANTHAVADI,
WAYANAD DISTRICT.**

BY ADV. SRI.SUNNY MATHEW

RESPONDENT(S):

- 1. THE REGIONAL PASSPORT OFFICER,
ERANHIPALAM P.O., KOZHIKODE-673 001.**
- 2. THE SECRETARY TO GOVERNMENT,
MINISTRY OF EXTERNAL AFFAIRS,
GOVT. OF INDIA, GOVERNMENT SECRETARIAT,
NEW DELHI-110 001.**
- 3. RESPONDENTS 1 AND 2 REPRESENTED BY THE
ASSISTANT SOLICITOR GENERAL OF INDIA,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.**

BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 20223 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE ORDER DATED 21.4.2015 ISSUED TO THE PETITIONER BY THE 1ST RESPONDENT.

EXHIBIT P2: TRUE COPY OF THE SUMMONS ISSUED TO THE PETITIONER.

EXHIBIT P3: TRUE COPY OF THE SUMMONS ISSUED TO THE PETITIONER.

RESPONDENT(S)' EXHIBITS AND ANNEXURES:

ANNEX R1(A): COPY OF THE SHOW CAUSE LETTER NO.SCN/302522703/15 DATED 25/03/2015 ISSUED BY THE 1ST RESPONDENT.

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 20223 of 2015

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Dated this the 9th day of September, 2015

J U D G M E N T

The petitioner challenging an action of impounding the passport has approached this Court.

2. It is submitted by the learned Assistant Solicitor General that the passport has been impounded on account of the non bailable warrant issued by the criminal court and passport already now impounded.

3. In view of the fact that the passport has already been impounded, the petitioner is free to apply for a fresh passport based on the permission granted by the criminal court where case is pending. If the petitioner obtains a permission from the criminal court where case is pending, application shall be considered by the passport authority, in accordance with law.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE