

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 12TH DAY OF AUGUST 2015/21ST SRAVANA, 1937

WP(C).No. 22802 of 2015 (A)

PETITIONER :

**SANJU MOHAN, AGED 27 YEARS,
S/O MOHAN SREEDHARAN,
RESIDING AT MS NIVAS, PERUMBAVOOR P.O.,
MARUTHUKAVALA, ERNAKULAM RURAL,
PIN- 683 542. KERALA.**

**BY ADVS.SRI.NOBLE MATHEW
SRI.JESTIN MATHEW**

RESPONDENT(S):

- 1. THE VERIFYING OFFICER,
MINI PASSPORT SEVA KENDRA, ERNAKULAM RURAL,
KOCHI-682 031**
- 2. THE REGIONAL PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE, KOCHI-682 016**
- 3. THE SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS, GOVT OF INDIA,
NEW DELHI-110 001**

R1 TO R3 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE DETAILS OF THE PASSPORT APPLICATION ALONG WITH THE ORDER ISSUED BY THE VERIFYING OFFICER ON 30/6/14
- EXT.P2: PHOTOSTAT COPY OF THE LETTER DT. 18/12/10 ISSUED BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF KERALA, TO THE DISTRICT COLLECTOR, THRISSUR.
- EXT.P3: PHOTOSTAT COPY OF THE APPLICATION SUBMITTED BY THE LEARNED PUBLIC PROSECUTOR BEFORE THE ASSISTANT SESSIONS JUDGE
- EXT.P4: PHOTOSTAT COPY OF THE ORDER DECLINING TO WITHDRAW THE CASE ISSUED BY THE LEARNED ASSISTANT SESSIONS JUDGE, THRISSUR
- EXT.P5: PHOTOSTAT COPY OF THE MEMORANDUM OF CRIMINAL REVISION PETITION FILED BY THE PETITIONER INTERALIA AMONG FOUR OTHER PERSONS
- EXT.P6: PHOTOSTAT COPY OF THE ORDER DT. 10/9/12 OF THIS HON'BLE COURT IN CRL.MA NO.10884/11 IN CRL. REV. PET. NO. 3011/11
- EXT.P7: PHOTOSTAT COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WPC NO. 18045/2014 DT. 24/7/14
- EXT.P8: PHOTOSTAT COPY OF THE RELEVANT PAGE OF THE PASSPORT ISSUED BY THE 2D RESPONDENT ON 26/9/14
- EXT.P9: PHOTOSTAT COPY OF THE RELEVANT PAGE OF THE VISA HAVING VALIDITY ONLY UPTO 26/9/15
- EXT.P10: PHOTOSTAT COPY OF THE PETITION FILED BY THE PETITIONER BEFORE THE RESPONDENT NO. 1 AND 2 DT. 23/7/14 ALONG WITH THE NEW ONLINE PASSPORT APPLICATION.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

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K.VINOD CHANDRAN, J.

W.P.(C).No.22802 of 2015

Dated this the 12th day of August, 2015

JUDGMENT

The only contention of the petitioner is that the petitioner was directed to be issued a passport at Ext.P7. No specific time having been specified in the judgment, the petitioner was issued with a passport for one year. The same has expired on 25.09.2015 and when the petitioner sought for an extension of validity it was not granted. The petitioner could very well move an application for renewal, which has been done as per Ext.P10.

2. The petitioner is said to have been arrayed in a criminal case, which the State had attempted to withdraw. It is stated that by an inadvertent mistake of the Public Prosecutor, in filing the application for withdrawal, the same was rejected. A Crl. R.P is pending before this Court in Crl.R.P No.3011/2011, in which there is a stay granted, of the proceedings, as evidenced by Ext.P6 order.

In such circumstances, on the facts noticed, the application of the petitioner shall be considered *dehors* the fact that the criminal case is pending and it is only proper that the petitioner's renewal be considered for a period of five years from the date of renewal.

The writ petition is disposed of.

Sd/-

K.VINOD CHANDRAN
JUDGE

AD