

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 28038 of 2015 (D)

PETITIONER(S):

UDYAWAR MOHAMMED ASHRAF,
AGED 24 YEARS,
S/O.ABOOBACKER SAIK,
BEST HOUSE, GUDDE, UDYAWAR,
MANJESWAR, KASARGODE DIST.

BY ADV. SRI.P.K.MOHAMED JAMEEL

RESPONDENT(S):

1. UNION OF INDIA,
REP. BY THE SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS,
NEW DELHI-110 001.
2. THE PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE,
BYE-PASS ROAD, ERANHIPALAM POST
KOZHIKODE, KERALA-673 006.

R1-R2 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 28038 of 2015

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1: COPY OF ONLINE APPLICATION RECEIPT HAVING REFERENCE NO.15-1006981191,

EXHIBIT P2: COPY OF ORDER OF CHIEF JUDICIAL MAGISTRATE COURT IN CRL.M.P.1371/2014.

EXHIBIT P3: COPY OF RELEVANT PAGE OF THE PASSPORT BEARING NO.M 1730432.

EXHIBIT P4: COPY OF RESIDENCE CARD ISSUED TO PETITIONER BY THE DIRECTORATE OF EMIGRATION OF IRAQ AND KURDISTAN.

/TRUE COPY/

PS TO JUDGE

vgs

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.28038 of 2015

Dated this the 16th day of September, 2015.

J U D G M E N T

The petitioner in this writ petition is involved in a criminal case, which is pending before the learned Chief Judicial Magistrate, Manjeri. The learned CJM, as per Ext.P2 order, granted permission to the petitioner to go abroad. Based on the above order, the Passport authority has issued passport having validity of one year.

2. The petitioner submits that he require passport having a longer validity, otherwise, no residential visa will be stamped in his passport by the Emigration Department of Foreign country.

3. This Court is of the view that, the petitioner has to approach the learned Chief Judicial Magistrate, Manjeri, seeking a permission for issuance of passport having longer validity, in the light of Notification No.GSR 570/1993 dated 25.8.1993 issued by the Ministry of External Affairs.

Therefore, if the petitioner approaches the learned CJM in the light of the above notification, needful shall be done by the Magistrate within 10 days of moving such an application by the petitioner. If such a longer period is granted, the petitioner shall approach the 2nd respondent and the 2nd respondent shall extend the validity of the passport in the light of the order to be passed by the learned Magistrate.

Sd/-
A.MUHAMED MUSTAQUE,
Judge.

ami/

//True copy//

P.A.to Judge