

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

WP(C).No. 34420 of 2015 (B)

PETITIONER :

**SOMAN KANDATHIL, AGED 45 YEARS,
S/O.VARKEY, KANDATHIL HOUSE,
VAZHAKKALA, DESHIYA KAVALA, THRIKAKARA P.O.,
KOCHI 682 021, ERNAKULAM DISTRICT.**

BY ADV. SRI.T.P.SANTHOSH KUMAR

RESPONDENT :

**REGIONAL PASSPORT OFFICER,
MINISTRY OF EXTERNAL AFFAIRS,
REGIONAL PASSPORT OFFICE, KOCHIN 682036.**

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

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

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT:P1: COPY OF APPOINTMENT RECEIPT BEARING NO.15-1009198695.
- EXT:P2: COPY OF THE CLOSURE LETTER DATED 23.3.2015 WITH RESPECT OF
PASSPORT APPLICATION NO.CO20775382031 AVAILED BY THE
PETITIONER.
- EXT:P3: COPY OF LETTER OF INTENDING VIZA FOR THE PURPOSE OF
BUSINESS DATED 7.6.2015 ISSUED FROM DUTCH HARBO
INTERNATIONAL,USA.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A.TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 34420 of 2015

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Dated this the 8th day of December, 2015

J U D G M E N T

The petitioner approached the passport authority for reissue of passport. Noting that the petitioner is involved in criminal cases, the passport authority directed the petitioner to produce Court order. Accordingly the petitioner has approached this Court.

2. Admittedly the petitioner is involved in 5 criminal cases. Therefore without obtaining permission from the Court wherein cases are pending, the petitioner cannot go abroad.

3. In the facts and circumstances, this Court is of the view that if the petitioner approaches the Court where the cases are pending the Court shall consider the application of the petitioner seeking permission to go abroad in the light of the decision of this Court in Asok Kumr Vs. State of Kerala [2009 (2) KLT 712] and take appropriate decision. If the permission is

granted, the petitioner is free to approach the passport authority and based on the orders of the Magistrate Court, the passport authority will consider the application.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE