

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

WP(C).No. 34958 of 2015 (T)

PETITIONER :

ABDUL MAJEED,
S/O.HASSANKUTTI, K.PURAM P.O.,
TANALUR, TANUR, MALAPPURAM DISTRICT-676 307.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENT(S):

THE REGIONAL PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE,
KOZHIKODE. PIN-676 307

*ADDL.R2 IMPEADED

*ADDL.R2: THE REGIONAL PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE, MALAPPURAM.

*ADDL.R2 IS IMPEADED AS PER ORDER DATED 03/12/2015 IN
IA.NO.17468/2015.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

sts

WP(C).No. 34958 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1. TRUE COPY OF THE ORDER DATED 21/5/2015 IN CMP NO.980/2008 IN
CRIME NO.792/2008 OF JUDICIAL FIRST CLASS MAGISTRATE
COURT -I, ALUVA.

EXT.P2. TRUE COPY OF THE RELEVANT PAGES OF THE PASSPORT
NO.N1847882 OF THE PETITIONER.

EXT.P3. TRUE COPY OF THE LETTER NO.RI-13/15 DATED 17/9/2015 GIVEN BY
THE PUBLIC INFORMATION OFFICER OF THE JUDICIAL FIRST CLASS
MAGISTRATE COURT -I, ALUVA.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.34958 of 2015

Dated this the 3rd day of December, 2015

J U D G M E N T

The petitioner is an accused in crime No. 592/2008 of Chengamanad Police Station. The petitioner has approached the Judicial First Class Magistrate Court I, Aluva to go abroad for job opportunities. Permission has been granted to the petitioner as per Ext.P1 order. In Ext.P1 order, while granting permission, the Magistrate did not restrict the period of permission. On the basis of Ext.P1, the petitioner has applied for a passport. In Ext.P2 passport, the validity of the passport is restricted for a period of one year. The petitioner submits that if there is no restriction imposed in Ext.P1 order of the Judicial First Class Magistrate Court, Aluva, the passport authority could not have restricted the validity for one year.

2. The learned Assistant Solicitor General of India would submit that as per SR 570/1993 dated 25.8.2015, when there is no specific direction in the order granting permission regarding the duration of permission, the validity of the passport will be restricted for one year.

3. Considering the nature of order of the Judicial First Class Magistrate Court, Aluva, this Court is of the view that validity of the passport of the petitioner shall be extended to a further period of two years. Therefore, the passport authority is directed to extent the period of validity of the passport to a further period of two years. The petitioner shall produce a copy of the judgment before the passport authority and the passport authority shall act upon the request to be made by the petitioner without any delay.

The writ petition is disposed of as above.

Sd/

**A.MUHAMED MUSTAQUE,
JUDGE**

jm/

The Crime No.”592/2008” occurring in the first sentence of the judgment dated 03.12.2015 in W.P.(C) No.34958/2015 is corrected as “792/2008” as per order dated 14.03.2016 in I.A.2732/2016 in W.P.(C) No.34958/2015.

Sd/

Registrar (Judicial)