

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

WP(C).No. 39660 of 2015 (F)

PETITIONER:

RATHEESH, AGED 24 YEARS
S/O RADHAKRISHNAN,
AVUNGAL HOUSE,
EZHAKKAD POST, MUNDUR, PALAKKAD DISTRICT.

BY ADVS.SRI.RAJESH SIVARAMANKUTTY
SRI.K.V.ANTONY

RESPONDENTS:

1. THE REGIONAL PASSPORT OFFICER,
OFFICE OF REGIONAL PASSPORT OFFICE,
PANAMPILLY NAGAR, COCHIN-682 036.
2. PASSPORT SEVA KENDRA, THRISSUR,
2ND FLOOR, ROWDHA TOWERS, POOTHOLE ROAD,
THRISSUR - 680 004.
3. THE DISTRICT SUPERINTENDENT OF POLICE, PALAKKAD
OFFICE OF THE DISTRICT SUPERINTENDENT OF POLICE,
DPO ROAD, PALAKKAR - 678 001.

R1 & 2 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

BY GOVERNMENT PLEADER BIJU MEENATTOOR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).NO.39660 OF 2015

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : COPY OF THE ACKNOWLEDGEMENT TOKEN ISSUED BY THE 1ST AND 2ND
RESPONDENTS DATED 03.12.2015

EXT.P2 : COPY OF THE ONLINE APPOINTMENT RECEIPT ISSUED BY 1ST AND
2ND RESPONDENTS TO THE PETITIONER.

RESPONDENTS' EXHIBITS: NIL

// TRUE COPY//

P A TO JUDGE

sm/

A. MUHAMED MUSTAQUE, J.

W.P.(C).No. 39660 of 2015

Dated this the 23rd day of December, 2015

JUDGMENT

The petitioner has applied for a passport. Noting that the petitioner is involved in two criminal cases, the petitioner's application has not been taken for a logical conclusion. The petitioner submits that he may be given passport and he undertakes that he will not travel abroad without obtaining permission from the court.

2. This Court is of the view that such undertaking is untenable as the petitioner has to obtain permission from the court where the cases are pending before the issuance of passport. Therefore, if the petitioner moves an application before the court where the cases are pending, the same shall be considered by the court within ten days of moving such application. If the permission is granted to the

petitioner, necessarily based on the permission, the Passport Authority shall consider the application for issuance of passport.

The writ petition is disposed of as above.

Sd/-

**A. MUHAMED MUSTAQUE
JUDGE**

bpr