

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Writ Petition No.22526 of 2015

Jaheer Hussain

...Petitioner

-Vs-

1. The Regional Passport Officer,  
Shastri Bhavan,  
Chennai.

2. The Inspector of Police,  
Mangalampet Police Station,  
Virdhachalam Taluk,  
Cuddalore District.

...Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the 1<sup>st</sup> respondent to return back the petitioner's original passport bearing No.B5352585 which was impounded by the 1<sup>st</sup> respondent and pass appropriate orders.

For Petitioner : Mr.A.S.Baalaji

For Respondents : Ms.G.Hema,  
Central Government Standing Counsel  
for R1  
Mr.V.Subbiah,  
Special Government Pleader for R2.

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner would state that he studied upto 12<sup>th</sup> standard. To eke out his livelihood, he has sought for a job in a

foreign country and for that purpose, he applied for passport and he was also issued with a passport bearing No. B5352585 dated 29.05.2001. The petitioner, on 1.3.2006, has applied for Immigration clearance(E.C.N.R.), to the first respondent, who on verification, has impounded the passport during the March, 2006, on the ground that some criminal case is pending against him.

3. It is the claim of the petitioner that the FIR was registered in Crime No.4/2001 and chargesheet was filed and the same was taken on file in S.C.No.66 of 2007 on the file of Additional District Sessions Judge, Fast Track Court-III, Vridhachalam and the said Court, vide judgment dated 16.5.2007, acquitted all the accused including the petitioner and to the knowledge of the petitioner, no appeal against the acquittal order has been preferred.

4. The petitioner, repeatedly submitted representations for revocation of the order of impounding the passport and return the original passport to him and since he is not favoured with any kind of response, he came forward with this writ petition.

5. Heard the submission of Mr.A.S.Balajee, learned counsel for the petitioner and Ms.G.Hema, learned Central Government Standing Counsel who accepts notice on behalf of the first respondent and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the second respondent.

6. This Court, taking note of the limited scope of the prayer sought for by the petitioner, directs the first respondent to dispose of the representation of the petitioner dated 05.06.2015 in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

7. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

vsi

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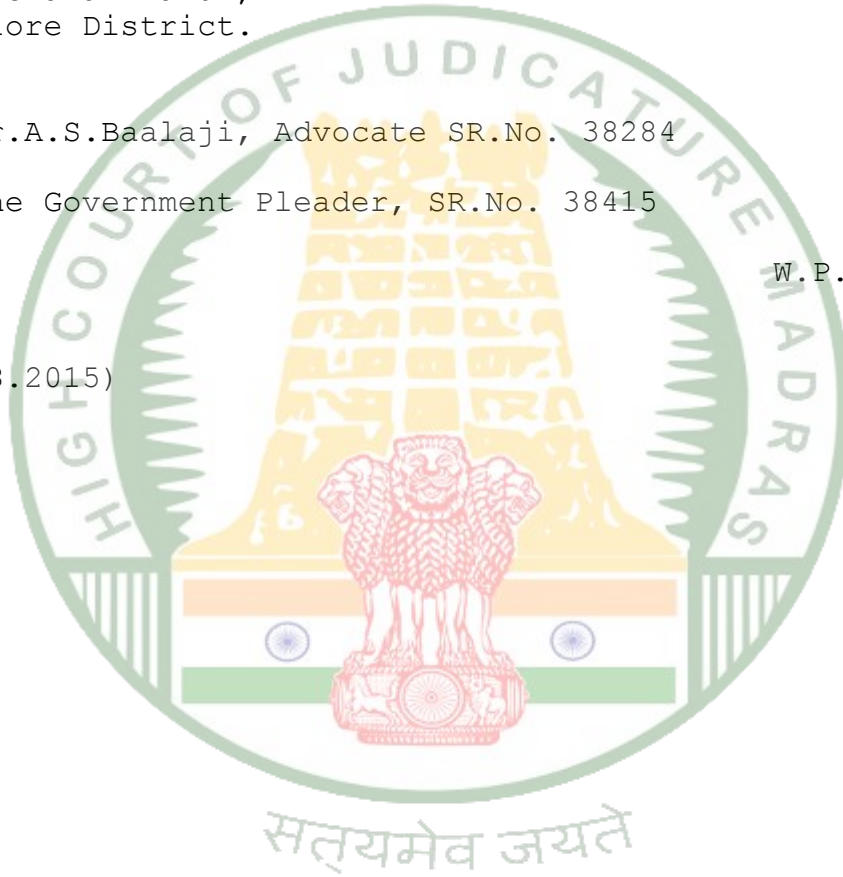
1. The Regional Passport Officer,  
Shastri Bhavan,  
Chennai.
2. The Inspector of Police,  
Mangalampet Police Station,  
Virdhachalam Taluk,  
Cuddalore District.

1 CC to Mr.A.S.Baalaji, Advocate SR.No. 38284

1 CC to the Government Pleader, SR.No. 38415

W.P.No.22526 of 2015

KJI (CO)  
PSI (25.08.2015)



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