



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2016

Coram:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.22251 of 2016

and

WMP (MD) No.15938 to 15940 of 2016

A.Mohammed Meeran

..Petitioner

-Vs-

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ulaa Veethi,
Race Course Road,
Madurai - 625 002.

2.Chief Immigration Officer,
Bureau of Immigration,
Trichy.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, for issuance of writ of Certiorarified Mandamus, call for the records pertaining to the impugned order in Sl.No.02/IMP/BOI-TAP/2016 (08)-99, dated 16.11.2016 passed by the 2nd respondent quash the same and consequently direct the respondents to clear the immigration and issue the petitioner's passport bearing No.N3364655.

For Petitioner : Mr.R.J.Karthick

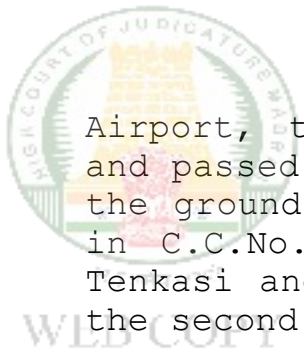
For Respondents : Mr.R.Arjuna Rajan
(Sr.CGSC)

ORDER

This writ petition has been filed for the issuance of a Writ of Certiorarified Mandamus, call for the records pertaining to the impugned order in Sl.No.02/IMP/BOI-TAP/2016 (08)-99, dated 16.11.2016 passed by the 2nd respondent quash the same and consequently direct the respondents to clear the immigration and issue the petitioner's passport bearing No.N3364655.

2.Challenging the order passed by the second respondent detaining the petitioner at Tiruchirapalli International Airport and seized the petitioner's Passport and directing the petitioner to approach the Regional Passport Office, Madurai for further action, the present writ petition has been filed.

<https://hcservices.ecourts.gov.in/hcservices/> to the petitioner, he is an Exporter and also having a valid passport. On 16.11.2016, when the petitioner was about to leave to Kualalumpur from Tiruchirapalli International



Airport, the second respondent seized the petitioner's Passport and passed the impugned order. The above order has been passed on the ground that a criminal case is pending against the petitioner in C.C.No.97 of 2012, on the file of the Judicial Magistrate, Tenkasi and based on the direction given by the first respondent, the second respondent has passed the impugned order.

4. According to the petitioner, even though a criminal case is pending against the petitioner, now the entire trial is over and the petitioner has already sent a consignment from Chennai Port and he has to urgently reach Kuala Lumpur, in order to distribute the materials to his buyers, for which the physical presence of the petitioner is very much vital and in the above circumstances, he approached the first respondent on 17.11.2016 and also made a representation to return the Passport, but no order has been passed. Hence, the writ petition has been filed by the petitioner, challenging the order of the second respondent.

5. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

6. Without going into the merits of the case, since the petitioner's representation dated 17.11.2016 is pending with the first respondent, the first respondent is directed to consider the petitioner's representation dated 17.11.2016 and pass suitable orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1. The Regional Passport Officer, Regional Passport Office,
Bharathi Ulaa Veethi, Race Course Road,
Madurai - 625 002.

2. Chief Immigration Officer, Bureau of Immigration,
Trichy.

+1cc to M/s.R.Arjuna Rajan, Advocate in SR.70598
+1cc to M/s.R.J.Karthick, Advocate in SR.70810

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