



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
W.P(MD)No.2314 of 2015

A.Jebakumar

.. Petitioner

vs.

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

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus to direct the respondent to release the petitioner's passport bearing No.J5654553 forthwith.

For Petitioner : Mr.N.Dlipkumar
For Respondent : Mr.G.R.Swaminathan
Assit. Solicitor General

O R D E R

This writ petition is filed seeking for a Mandamus directing the respondent to release the petitioner's passport bearing No.J5654553.

2.The grievance of the petitioner is that his passport was impounded on the reason that a criminal case filed under Section 107 Cr.P.C was pending against the petitioner.

3.According to the petitioner, pendency of such criminal case is not a bar for holding the passport.

4.Mr.G.R.Swaminathan, learned Assistant Solicitor General appearing for the respondent fairly conceded to the above-said submissions made by the learned counsel for the petitioner and further stated that the petitioner's passport cannot be retained by the respondent simply because a proceedings under Section 107 Cr.P.C., is pending. In effect, the learned Assistant Solicitor General has no objection for allowing the writ petition.



5. Considering the above-stated facts and circumstances and the submissions made by the learned counsel appearing for either side, this writ petition is allowed and the respondent is directed to release the petitioner's passport bearing No.J5654553, within a period of two weeks from the date of receipt of a copy of this order, if there is no other impediment for releasing such passport. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To,

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

+1cc to Mr.N.Dilip Kumar, Advocate Sr.No.895

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