



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2017

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.20492 of 2017

Sirajudheen

... Petitioner

-Vs-

1. The Passport Officer,
O/o. The passport Office,
Municipal Water Tank Building,
W.B.Road, Trichirappalli.
2. The Superintendent of Police,
O/o. The Superintendent of Police,
Karur District.
3. The Inspector of Police,
Chinthamanipatty Police Station,
Karur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.1 to issue passport to the petitioner pending on his file in File No.TR206042964317 by accepting the petitioner explanation dated 20.09.2017 within the period stipulated by this Court.

For Petitioner	:	Mr.M.Natarajan
For R1	:	Mr.Kathirval, Additional Solicitor General assisted by N.Shanmugaselvam Standing counsel
For R2 and R3	:	Mr.M.Alagu Devan Government Advocate

O R D E R

The petitioner seeks for issuance of passport to enable him to go aboard for overseas employment. Unfortunately, the petitioner has been implicated in a criminal case and the same has also been charge sheeted. The Criminal case is pending in C.C.No.1 of 2016 before the Judicial Magistrate Court No.I, Kulithalai, Karur District.



2.This Court has held that when a criminal case is pending before the Criminal Court, the criminal court has to give permission to enable the person to obtain passport.

3.The learned counsel appearing for the first respondent submitted that if the petitioner is allowed to go aboard, the case would remain pending indefinitely.

4.I see force in the said submission. Therefore in the interest of justice, this Court directs the learned Judicial Magistrate Court No.I, Kulithalai, Karur District to dispose of C.C.No.1 of 2016 within a period of one month from the date of receipt of a copy of this order.

4.Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate Court No.I,
Kulithalai, Karur District.
2. The Passport Officer,
O/o. The passport Office,
Municipal Water Tank Building,
W.B.Road, Trichirappalli.
3. The Superintendent of Police,
O/o. The Superintendent of Police,
Karur District.
4. The Inspector of Police,
Chinthamanipatty Police Station,
Karur District.

+1cc to Mr.M.Natarajan, Advocate Sr.No.85768
+2cc to Mr.N.Shanmugaselvam, Advocate Sr.No.85819
+1cc to Spl.Government Pleader Sr.No.85973

CP/VSG

VB/SKN/RSK/SAR4/08/11/2017/2P/9c