

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.07.2019

CORAM

THE HONOURABLE MR. JUSTICE P.D.AUDIKESAVALU

W.P. No.6834 of 2019

M. Kabilan

.. Petitioner

..Vs..

1. The Regional Passport Officer,
Regional Passport Office,
Chennai Royala Towers,
No. 2 and 3, IV Floor, Old No.785,
New No. 158, Anna Salai,
Chennai- 600 002.
 2. The Inspector of Police,
(Law and Order),
F2, Egmore Police Station,
Egmore, Chennai - 600 008.
- .. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the Regional Passport Officer, Regional Passport Office, Chennai Royala Towers No2 and 3, IVth Floor Old No.785, New No.158, Anna Salai, Chennai -2 the 1st respondent herein to issue passport and Visa to the Petitioner on considering the application pending on their file number MASW12042411 dated 28.10.2011 continuation of SCN dated 29.08.2012 forthwith to the petitioner.

For Petitioner : Mr. K. Balakrishnan

For Respondents : Mr. N. Rajan, CGSC for R1
Mr. M. Karthikeyan,
Additional Government Pleader
for R2

O R D E R

The Petitioner is aggrieved by the refusal of the First Respondent to issue passport to him on account of pendency of criminal proceedings against him in respect of certain offences alleged to have been committed by him.

2. When it is pointed out by the Learned Central Government

Standing Counsel appearing for the First Respondent that the Petitioner has to produce an order from the Criminal Court, where the proceedings are pending against him, permitting him to depart from India, while submitting his application for issuance of passport, relying on the notification No. G.S.R. 570(E) dated 25.08.1993 issued by the Ministry of External Affairs, Government of India, in the exercise of powers under Section 22 (a) of the Passports Act, 1967, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to that procedure and has made an endorsement to that effect, which is recorded.

3. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. No costs.

rkp

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Regional Passport Officer,
Regional Passport Office,
Chennai Royala Towers,
No. 2 and 3, IV Floor, Old No.785,
New No. 158, Anna Salai,
Chennai- 600 002.

2. The Inspector of Police,
(Law and Order),
F2, Egmore Police Station,
Egmore, Chennai - 600 008.

+2cc to Mr.N.Rajan, Advocate, SR.No.57427

+1cc to Mr.K.Balakrishnan, Advocate, SR.No.57525

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Kak(23/07/2019)

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