

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No.19217 of 2019

Abu Thahir

...Petitioner

Vs.

1.The Regional Passport Officer,
Government of India.

2.The Inspector of Police,
Paramakkudi Town Police Station,
Paramakkudi,
Ramanathapuram District.

3.Ministry of External Affairs,
Regional Passport Office,
No.25, AGT Business Park,
Avinasi Road,
Civil Aerodrome Post,
Coimbatore.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 3rd respondent to consider the Petitioner's representation dated 17.03.2019 and to initiate appropriate action in accordance with law.

For Petitioner : Mr.N.Saravanan

For Respondents : Mr.Venkataswamy Babu,

CGSC for R1 & R3

Mr.M.Karthikeyan,

Additional Government Pleader for R2

O R D E R

The Petitioner is aggrieved by the refusal of the Third 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 and Third Respondents 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

rkp

To

1. The Regional Passport Officer,
Government of India.

2. The Inspector of Police,
Paramakkudi Town Police Station,
Paramakkudi,
Ramanathapuram District.

3. Ministry of External Affairs,
Regional Passport Office,
No.25, AGT Business Park,
Avinasi Road,
Civil Aerodrome Post,
Coimbatore.

+1 CC to Mr. Venkataswamy Babu, Advocate sr 61482.

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RGN(CO)
SP(25/07/2019)