

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.26971 of 2019

G.Sathiya Seelan

...Petitioner

Vs

1. The State of Tamilnadu,
Rep. by its Secretary to Government,
Home Department, Fort St. George,
Chennai - 600 009.
- 2.The Inspector General of Police,
CBCID, Metro Team,
Egmore, Chennai.
- 3.The Inspector of Police,
CBCID, Metro Team,
Egmore, Chennai.
- 4.The Immigration Officer (FRRO),
Office of the Immigration,
Delhi.
- 5.The Regional Passport Officer,
The Regional Passport Office,
Royala Tower No.2 and 3
IV Floor Old No.785,
New No.158, Anna Salai,
Chennai - 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to consider the petitioner representation dated 21.08.2019 and to return the passport Bearing No.L4557755 by the Regional Passport Authority.

For Petitioner : Mr.L.Infant Dinesh
For Respondents: Mr.C.Iyyapparaj
Additional Public Prosecutor
for R1 & R2

O R D E R

The limited prayer sought for in the present writ petition cannot be considered in view of Section 11 of the Passport Act r/w Rule 14 of the Passport Rules, since this is a case where the petitioner's passport has already been impounded under Section 10(3)(e) of the Passport Act.

2.In view of an appeal remedy available to the petitioner, this Court cannot be justified in exercising its extraordinary powers under Article 226 of the Constitution of India. As such, no effective orders can be passed in the present writ petition. Under this circumstances, the petitioner is granted liberty to challenge the order, impounding the petitioner's passport, subject to the provisions of the Passport Act as well as rules in force.

3.This writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS I)

/true copy/

Sub Asst. Registrar

sbn/ssr

To

1. The Secretary to Government,
State of Tamil Nadu
Home Department, Fort St. George,
Chennai - 600 009.

2.The Inspector General of Police,
CBCID, Metro Team,
Egmore, Chennai.

3.The Inspector of Police,
CBCID, Metro Team,
Egmore, Chennai.

4.The Immigration Officer (FRRO),
Office of the Immigration,
Delhi.

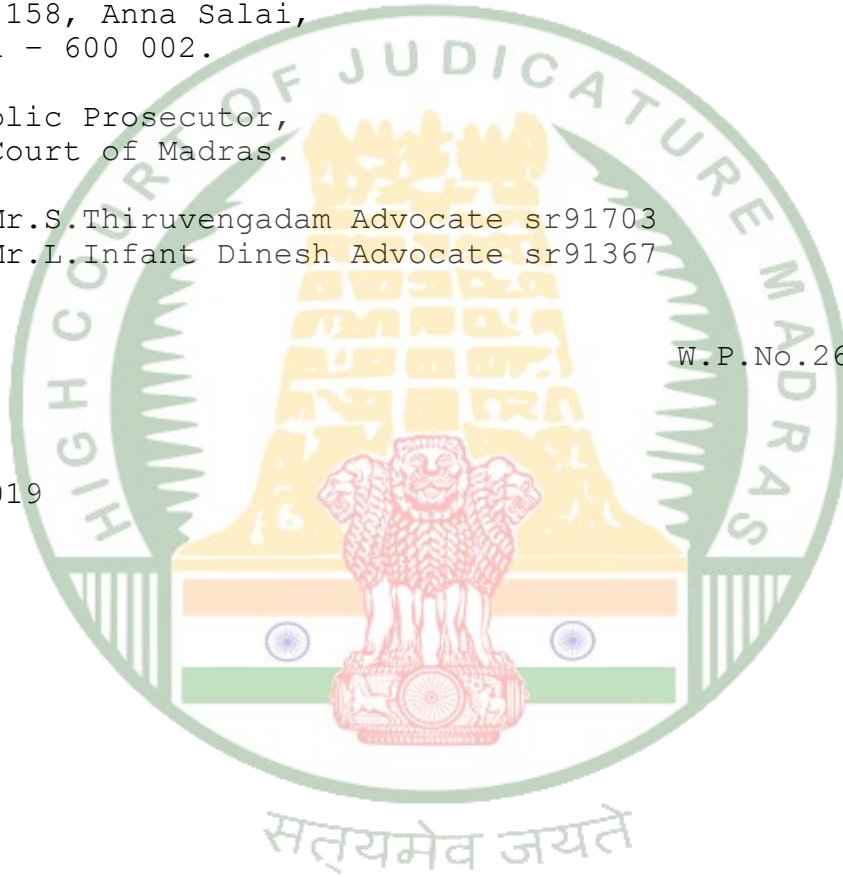
5.The Regional Passport Officer,
The Regional Passport Office,
Royala Tower No.2 and 3
IV Floor Old No.785,
New No.158, Anna Salai,
Chennai - 600 002.

6. The Public Prosecutor,
High Court of Madras.

+1 cc to Mr.S.Thiruvengadam Advocate sr91703
+1 cc to Mr.L.Infant Dinesh Advocate sr91367

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