

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2019

CORAM:

THE HONOURABLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P. No. 32941 of 2019

S.A.Ameen Shah

... Petitioner

-Vs-

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

2. The Inspector of Police,
Muthialpet Police Station,
Chennai.

3.The Inspector of Police
W-10, All Women Police Station,
Flower Bazar,
Chennai.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus directing the 1st respondent to permit the petitioner to go for abroad though the petitioner's Passport No. T3555602 which is expires only on 01.04.2029.

For Petitioner : Mr. G.Arumugaraja

For R1 : Ms.Sunitha Kumari
Senior Panel Counsel

For R2 & R3 : Mr.N.Inbanathan
Additional Government Pleader

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 1st respondent to permit the petitioner to go for abroad though the petitioner's Passport No. T3555602 which is expires only on 01.04.2029.

2. The petitioner / A3 is also facing criminal proceedings in S.C.No.163 of 2017, which is pending before the XVII Additional City Civil Court, Chennai.

3. Consequently, without going into the merits of the case, since the petitioner has a passport he may approach the XVII Additional City Civil Court, Chennai and file necessary application to go to abroad and the learned Judge, may pass appropriate orders in accordance with law. This Court cannot enter the jurisdiction of the said Court.

4. It is also seen that the petitioner is also facing Crime No.1 of 2017, registered against him by the Inspector of Police, W-10, All Women Police Station, Flower Bazaar, Chennai. The investigation therein has been stayed by an order of this Court in Crl.O.P.No.11813 of 2017. However, if the criminal original petition is dismissed, the appearance of the petitioner before the investigation authority would become necessary. Therefore, the petitioner should give an undertaking that he would appear before the investigating authority as and when required.

5. With the above directions, the Writ Petition is disposed of. No costs.

09.12.2019

Index: Yes / No

Speaking order / Non speaking order

mtl

Note: Issue Order Copy on 10.12.2019

C.V.KARTHIKEYAN,J.

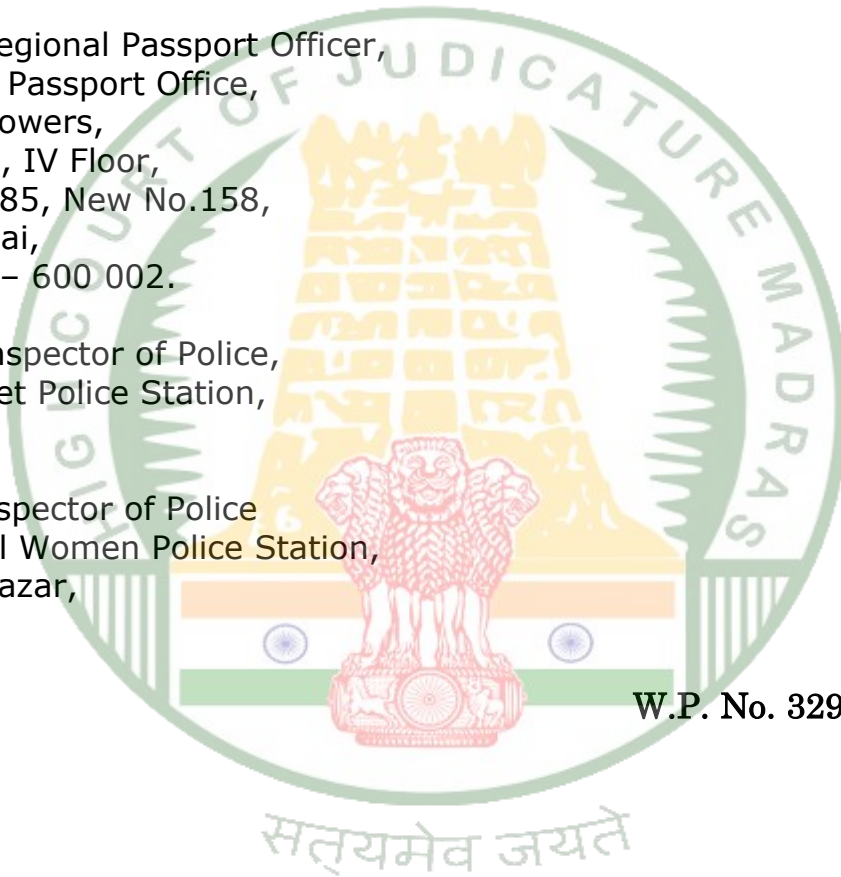
mtl

To

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

2. The Inspector of Police,
Muthialpet Police Station,
Chennai.

3.The Inspector of Police
W-10, All Women Police Station,
Flower Bazar,
Chennai.



W.P. No. 32941 of 2019

WEB COPY

09.12.2019