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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.12.2019

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.33848 of 2019

A.Mohammed Hussain

.. 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 - 600 001.
3. The Inspector of Police,
W-10, All Women Police Station,
Flower Bazar,
Chennai - 600 001.
4. The Inspector of Police,
C-3, Seven Wells Police Station,
Seven Wells, Chennai - 600 001.

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to permit the petitioner to go for abroad though th petitioner's passport No.Z2823883 which is expires only on 11.02.2024.

For Petitioner : Mr.A.Ilaya Perumal

For Respondents : Mr.Adhithya Reddy,
Additional Central Government Counsel
(for R1)
Mr.N.Inbanathan,
Additioanl Government Pleader
(for R2 to R4)



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O R D E R

The petitioner unfortunately has got entangled with four criminal cases which are pending before the XVIIth Additional City Civil Court, Chennai, VIIth Additional City Civil Court, Chennai, XVIth Metropolitan Magistrate, George Town, Chennai and VIIth Metropolitan Magistrate, George Town, Chennai.

2. The present writ petition has been filed seeking a mandamus permitting the respondent to allow him to go Malaysia for business.

3. This court is not going into the details of the cases of the petitioner, who is the holder of passport No.Z2823883.

4. Heard Mr.A.Ilayaperumal, learned counsel for the petitioner, Mr.Adhithya Reddy, learned Additional Central Government Counsel appearing for R1 and Mr.N.Inbanathan, learned Additional Government Pleader for R2 to R4.

5. Considering the facts and circumstances of the case, it would be appropriate to direct the petitioner to approach the Courts concerned wherein various criminal cases are pending against him. It is a case where the concerned Sessions Judge/Magistrates can decide whether the petitioner can be permitted to go abroad or whether his presence is required for the trial in each one of the Courts. This Court cannot enter into the jurisdiction of the aforesaid Courts, at the request of the petitioner. Hence, such petition has to be filed before the presiding officers of the concerned Courts.

6. The learned Sessions Judges/Judicial Magistrate of the courts concerned where the cases of the petitioner are pending, may take an independent decision in accordance with the stages in which the trial is pending before the said Courts. It is hoped that each one of the Courts shall dispose of the case preferably within a period of three weeks from the date on which this petition is filed.

7. With the above observation, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

vum



To

1. The Regional Passport Officer,
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Seven Wells, Chennai - 600 001.

+5cc to Mr.A.Ilaya Perumal, Advocate SR.No.101431, 101063

+1cc to Government Pleader SR.No.101659

W.P.No.33848 of 2019

AD(CO)
GMV(06/12/2019)