



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD) No.10543 of 2019

and

WMP (MD) No.8076 of 2019

Meera Hussian

... Petitioner

Vs.

The Passport Officer,
Bharathi Ula Street,
Race Course Road,
Madurai.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned communication in Ref.No.FCL/307535379/18 dated 23/08/2018 issued by the respondent, quash the same and consequently directing the respondent to re-open the File No.MD1070426992917 and reissue the passport .

For Petitioner : Mr.RM.Arun Swaminathan

For Respondent : Mr.V.Kathirvelu,

Assistant Solicitor General of India
assisted by Ms.B.Deepa,
Central Government Standing Counsel

ORDER

Heard the learned counsel for the petitioner and the learned Assistant Solicitor General of India appearing for the respondent.

2.When the matter was taken up for hearing, the learned Assistant Solicitor General of India for the respondent pointed out that CC No.162 of 2017 on the file of the learned Judicial Magistrate No.2, Ramanathapuram is pending against the writ petitioner and that therefore the petitioner has to move the said court to travel abroad.

3.The learned counsel for the petitioner submitted that the writ petitioner had already filed quash proceedings and that this Court had granted dispense with of his personal appearance before the court below.

4.I am not persuaded by the submission of the petitioner's counsel. This Court had not stayed the pending criminal proceedings which is pending against the petitioner. It is only the jurisdictional court that will have to be approached for getting permission to travel abroad. Hence, the petitioner is permitted to move the said court where the case against him is pending. The jurisdictional magistrate is directed to dispose of the petitioner's application for permission to travel abroad, within a period of two weeks from the date of receipt of a copy of this order.



5. With this direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

WEB COPY

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar (CS)

To
The Passport Officer,
Bharathi Ula Street,
Race Course Road, Madurai.

+1cc to M/S.B.DEEPA, Advocate, SR.No.63461

WP (MD) No.10543 of 2019
and
WMP (MD) No.8076 of 2019
27.04.2019

SKM
KK/SAR/29.04.2019/ 2P- 3C