



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**
W.P. (MD) No.7744 of 2019

and

W.M.P (MD) .Nos.6143 amd 6144 of 2019

G.Gopalakrishnan

... Petitioner

Vs

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veedhi,
Race Course Road,
Madurai-625 002.

2.The Assistant Passport Officer,
Passport Seva Kendra,
Claret Plaza,
Melakal Main Road,
Kochadai, Madurai-625 016.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Madamus, to call for the records of the first respondent comprised in their order dated 02.08.2018 bearing reference No.1300057-CPC-MDU and quash the same as arbitrary, illegal and consequently directly the respondents to issue the passport submitted vide file No.MD1070041578517, dated 23.02.2017.

For Petitioner : Mr.S.Ramesh

For Respondents : Mr.V.Kathirvelu
Additional Solicitor General
Assisted by Mr.T.Balaji Krishnasamy

ORDER

Heard the learned counsel on either side.

2. The writ petitioner was issued with the passport in the year 2005. Its validity expired in the year 2015. The petitioner submitted an application for renewal of passport. The respondents have declined to renew the petitioner's passport by taking note of the criminal case is pending against the writ petitioner.

3. It is seen that the case against the writ petitioner is pending at the PRC stage before the learned Judicial Magistrate, Melur. It is always open to the writ petitioner to move the said Criminal Court and obtain permission for travel. As and when the jurisdictional Criminal Court grants such permission, in terms of



the order passed by the said Court the respondents shall renew the petitioner's passport. Of course, the petitioner will have to fulfil the other statutory formalities.

4. The writ petitioner stands allowed on these terms. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

rmk

To

1.The Regional Passport Officer,
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Bharathi Ula Veedhi,
Race Course Road,
Madurai-625 002.

2.The Assistant Passport Officer,
Passport Seva Kendra,
Claret Plaza,
Melakal Main Road,
Kochadai, Madurai-625 016.

+2 CC to M/s.S.RAMESH, Advocate (SR-58246[F] dated 02/04/2019)

+2 CC to M/s.T.BALAJI KRISHNASAMY, Advocate (SR-58833[F] dated 04/04/2019)

W.P. (MD) No. 7744 of 2019
02.04.2019

DS/ /SAR- (22.04.2019) 2P 7C