



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.09.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M. SUNDAR**

W.P(MD)No. 19406 of 2019

Usman

... Petitioner

/vs./

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

2. The Inspector of Police,
Seidunganallur Police Station,
Thoothukudi District.

... Respondents

(R-2 is impleaded vide Court Order dated 09.09.2019 in
WMP(MD) No.15918 of 2019)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to re-issue passport to the petitioner based on the renewal application in File Number:MD2072226725719 within a stipulated time that may be fixed by this Court.

For Petitioner: Mr.R.Karunanidhi

For R-1 : Mr.V. Kathirvelu,
Assistant Solicitor General
Assisted by Mr.B.Narayan Ram

For R-2 : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

To be noted, vide order made today (09.09.2019) in WMP.(MD) No.15918 of 2019, the jurisdictional Inspector of Police has been impleaded as respondent No.2 in instant writ petition.

2. In the instant writ petition, the plea of the writ petitioner pertains to re-issue of his passport which has run into rough weather owing to pendency of a criminal case pending against the writ petitioner. To be precise the prayer in the writ petition is as follows:

<https://hcservices.ecourts.gov.in/hcservices/>



'For the reasons stated in the accompanying affidavit, therefore it is prayed that this Hon'ble Court may be pleased to issue a Writ of Mandamus directing the respondent to Re-issue passport to the petitioner based on the renewal application in File Number: MD2072226725719 within a stipulated time that may be fixed by this Court'.

3. Mr.R.Karunanidhi, learned counsel on record for the writ petitioner, Mr.V. Kathirvelu, learned Senior Counsel and Assistant Solicitor General instructed by Mr.B.Narayan Ram on behalf of first respondent and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader, on behalf of second respondent are before this Court. With consent of all learned Counsel, main writ petition is taken up, heard out and is being disposed of.

4. There is no disputation or disagreement that Cr.M.P.No.2512 of 2019, on the file of learned Judicial Magistrate, Srivaikundam is now pending and charge sheet has also been filed on 20.06.2019. Therefore, it is for the writ petitioner to approach the aforesaid Judicial Magistrate's Court, Srivaikundam seeking necessary permission to travel abroad which is dovetailed with prayer in instant writ petition for re-issue of passport. If the writ petitioner chooses to do so, the learned Judicial Magistrate, Srivaikundam is directed to consider the request on its own merits and in accordance with law, as expeditiously as his Board would permit.

5. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

To

- 1.The Judicial Magistrate,
Srivaikundam.
2. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.



3. The Inspector of Police,
Seidunganallur Police Station,
Thoothukudi District.

+1 CC to M/s.NARAYANARAM, Advocate (SR-86015[F] dated 09/09/2019)

WEB COPY
+1 CC to M/s.GP (SR-86145[F] dated 10/09/2019

Order made in
W.P(MD)No.19406 of 2019
Dated:09.09.2019

KSA/SSL
MS/04.10.2019/3P.6C