



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.12.2019

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.(MD) No.22013 of 2019

WEB COPY

Mr.Tintu

.. Petitioner

Vs

The Regional Passport Officer
O/o. Regional Passport Office
Bharathi Ula Veethi
Race Course Road
Madurai - 625 002
Tamil Nadu.

..Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to re-issue the passport of the petitioner bearing application reference No.19-1005889591 dated 19.06.2019, within the time period stipulated by this Court.

For Petitioner	: M/s.T.Lalajapathi Roy
For Respondent	: Mr.V.Kathirvelu
	Assistant Solicitor General,
	Assisted by
	Mr.C.Nandagopal
	Central Government Standing Counsel

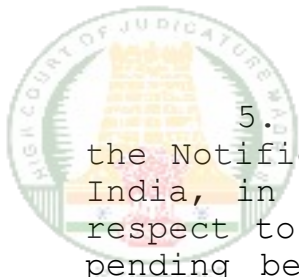
O R D E R

This Writ Petition is filed by the petitioner directing the respondent to re-issue the passport of the petitioner bearing application reference No.19-1005889591 dated 19.06.2019, within the time period stipulated by this Court.

2. Mr.V.Kathirvelu, Assistant Solicitor General, Assisted by Mr.C.Nandagopal, Central Government Standing Counsel takes notice on behalf of the respondent.

3. Heard both sides.

4. Upon instructions, the learned Special Government Pleader appearing for the respondent has reported that there was a First Information Report pending in PRC No.29 of 2019, on the file of Judicial Magistrate Court, Iranial, wherein the petitioner is arrayed as an accused.



5. It is brought to the attention of this Court that as per the Notification of the Ministry of External Affairs, Government of India, in GSR 570(E), states that, if there are any proceedings in respect to offence alleged to have been committed by the applicants pending before a Criminal Court in India and who produces orders from the Court concerned are permitted to depart from India from the operation of the provisions of Clause (f) of sub-section (2) of Section 6 of the Passport Act 1967, subject to certain conditions.

6. As there is a criminal case against the petitioner, pending before the Judicial Magistrate Court, Iranial, it is open to the petitioner to apply for the permission for re-issuance of passport before the same Court and on production of such order granting permission, it is open to the respondent to consider the same and pass appropriate orders.

7. With the above observation, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar(CS)

vrn

To

The Regional Passport Officer,
O/o. The Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002
Tamil Nadu.

+1 CC to Mr.T.LAJAPATHIROY, Advocate (SR-103757[F]dated
06/12/2019)

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