

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION NO.6616 OF 2018

ORDER:

The petitioner filed this Writ Petition with the following prayer:-

“...to issue any writ, order or direction more particularly one in the nature of writ of mandamus declaring the high handed action of the 2nd respondent by way of issuing impugned notice dated 25.01.2018 and impugned order dated 16.02.2018 thereby directing the petitioner not to depart from India and impound the passport of the petitioner as illegal, arbitrary, violation of Article 14 of the Constitution of India and contrary to the provisions of the Passport Act, 1967 and consequently set aside the same in the interest of justice and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard Mr. T. Rama Chander Rao, learned counsel for the petitioner and learned Standing Counsel for Central Government.

Central Government issued gazette notification vide GSR.No.570(E) dated 25.08.1993 providing for grant of passports to those who are involved in criminal cases. The petitioner can file an application for grant of passport before the concerned Court but learned counsel for petitioner states that petitioner filed quash petition in CrI.P.No.11969 of 2018 for quashing criminal proceedings in C.C.No.265 of 2017 and this Hon'ble Court granted stay of all further proceedings in C.C.No.265 of 2017 as such petitioner is not in a position to approach criminal Court for obtaining permission as per Gazette notification in GSR.No.570(E) dated 25.08.1993.

In view of the facts and circumstances of the case, it is for the petitioner to seek appropriate direction in CrI.P.No.11969 of 2018 for modifying of stay orders enabling the petitioner to file appropriate application for obtaining permission as per Gazette notification in GSR.No.570(E) dated 25.08.1993, since the proceedings before the criminal Court are stayed.

With the above observation, the Writ Petition is disposed of. There shall be no orders as to costs. Miscellaneous applications, if any, pending shall stand closed.

(A.RAJASHEKER REDDY, J)

4th July 2019
RRB

