

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.16474 of 2019

ORDER:

This Writ Petition is filed for the following substantive relief:

“... to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent is not treating the petitioner's application dated 25 June 2019 to allow him to leave the country as per guidelines given by this Honourable court in Criminal Petition No.3060/2019 order, dated 20.06.2019, as illegal, against the principles of natural justice and consequently, to direct the 3rd respondent to dispose of the petitioner's application dated 25.06.2019 in Crime No.119/2018 to issue the clearance certificate of passport and to pass such other order(s) as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Learned Assistant Government Pleader for Home submits that the issue involved in this Writ Petition is squarely covered by Writ Petition No.3213 of 2015, wherein the learned single of this Court has dealt with this issue elaborately and after considering several judgments holding the field, disposed of the said Writ Petition by order dated 06.3.2015 and therefore, following the same, this Writ Petition may be disposed of permitting the petitioner to approach the Court concerned where the criminal proceedings are pending for withdrawal of LOC.

Following the aforesaid order, this Writ Petition is disposed of in terms thereof. It is open to the petitioner to approach the Court concerned where the criminal proceedings are pending for withdrawal of LOC and in such an event, the said Court shall consider and dispose of the same in accordance with law expeditiously, preferably within a period of two weeks therefrom.

As a sequel, Miscellaneous Petitions, if any, pending shall stand closed. No order as to costs.

A.RAJASHEKER REDDY, J

13th August, 2019
dr

