

**HONOURABLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN**

AND

HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT APPEAL No.1716 OF 2018

JUDGMENT: (ORAL) (Per Hon'ble the Chief Justice Sri Thottathil B.Radhakrishnan)

This Writ Appeal is against an interlocutory order passed in a writ petition seeking to challenge a short validity passport issued by the Regional Passport Officer, Telangana, to the appellant T.S. Kalyan Ashwin Kumar. The writ petition was filed by Kalyan Ashwin Kumar's wife Smt. Tubati Srivalli.

2. Learned counsel for the appellant argued that the learned single Judge ought not to have passed the interim order inasmuch as the wife had a remedy by way of making a complaint against the grant of passport. This could have done an effective representation before the competent authority dealing with issuance of passport, it is argued. The second plea is that there was suppression of material facts before the learned single Judge and thereby deflecting the course of justice.

3. We are also told by the learned counsel for the contesting respondent, the wife, that the parties are now before the Supreme Court of India in a matter relating to relaxation of bail conditions imposed by the trial Court in the prosecution initiated for the offence punishable under Section 498-A of Indian Penal Code, 1860, and other provisions of penal laws.

4. In the aforesaid format of facts, we are of the view that rather than dealing with this in an *intra* Court letters patent appeal, the interim order can be sought to be modified by the learned single Judge, if applied for by the appellant. Such application will be considered by the learned single Judge in accordance with law and expeditiously as may be found fit and proper.

5. The Writ Appeal is ordered accordingly. No order as to costs.

As a sequel thereto, Miscellaneous Applications, if any pending, in the writ appeal stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

A. RAJASHEKER REDDY, J

March 11, 2019.
PV