

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.02.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 2374 of 2020

and

W.M.P.No. 2774 of 2020

Shabu Kottoli Parambil Adimakutty

.. Petitioner

..Vs..

1. The Regional Passport Officer,
Regional Passport Office,
Fourth Floor, Chennai Rayala Towers,
No. 2 & 3, Old No. 785, New No. 158,
Anna Salai, Chennai - 2.

2. The Inspector of Police,
St.Thomas Mount Police Station,
Chennai - 16.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, permitting the petitioner to submit his itinerary through his power agent or advocate before the 2nd respondent in consonance to the order dated 26.11.2018 and made in W.P.Nos. 27227/18 & 27236/2018.

For Petitioner : Mr.I.Kowser Nissar

For Respondents : Mr.Adhitya Puddy
for R1

O R D E R

The petitioner has already benefited by an order of this Court, wherein, he was directed to inform the learned Judicial Magistrate, Alandur, where the criminal case pending against him about his itinerary well in advance and he should make himself available before the said Court on the date of the hearing. The petitioner seeks permission to forward his itinerary through the power agent and advocate. The petitioner has filed an affidavit and in paragraph No. 9 of the affidavit, it is stated as follows;

" I humbly submit that in the event of my unexpected and sudden business foreign trip I may be permitted to submit my itinerary through my advocate of power agent within a reasonable time before the Judicial Magistrate Court Alandur. By the above arrangement no prejudice would be caused to anybody and on the other hand if such permission is not granted I would be greatly prejudiced. "

2. However, the petitioner has not given any valid reason as to why he cannot make a short trip to the learned Judicial Magistrate, Alandur. The petitioner should realise that the criminal case has been pending in the said Court. It is seen that, as on date, all the further proceedings in C.C.No.199 of 2017, on the learned Judicial Magistrate Court at Alandur have been stayed by an order of this Court in CrI.M.P.No. 12577 of 2018 in CrI.O.P.No. 22663 of 2018.

3. The learned Additional Government Advocate states that the case hearing is on 30.05.2020. At any rate, I find no reason to allow the petitioner to even submit his itinerary through the power of attorney agent. Therefore, I am not inclined to grant the relief sought for. The learned counsel for the petitioner states that she may file an application seeking modification of the earlier order passed in the writ petition. That is left open to the petitioner.

4. Accordingly the present writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Regional Passport Officer,
Regional Passport Office,
Fourth Floor, Chennai Rayala Towers,
No. 2 & 3, Old No. 785, New No. 158,
Anna Salai, Chennai - 2.

2.The Inspector of Police,
St.Thomas Mount Police Station,
Chennai - 16.

+1cc to Mr.Adithya Reddy, Advocate, S.R.No.16313
+1cc to Mr.N.A.Nissar Ahmed, Advocate, S.R.No.16345
+1cc to the Government Pleader, S.R.No.17210

W.P.No. 2374 of 2020
and
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VBA (CO)
RSI (20/05/2020)



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