



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.5669 of 2020

Abbas Mydeen Seyad Mohammed

... Petitioner

Vs

1.The Government of India,
Ministry of External Affairs,
New Delhi.

2.The Regional Passport Officer,
Regional Passport Office,
Government of India,
Ministry of External Affairs,
Bharathi ula veedhi,
Race Course Road,
Madurai - 625 002.

3.The Inspector of Police,
Batlagundu Police Station,
Batlagundu
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent's communication No.SCN/309783141/20 dated 28.02.2020 and quash the same and consequently direct the 2nd respondent to issue passport to petitioner by considering his application No.MD1062858920120 dated 18.02.2020 within a period as stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.V.Kathirvelu,
Assistant Solicitor General,
Assisted by Mrs.S.Ragaventhre
Central Govt. Standing Counsel
for R1 & R2

: Mrs.S.Srimathy
Special Government Pleader for R3

O R D E R

Heard the learned counsel appearing for the petitioner, the learned Assistant Solicitor General appearing for the first and second respondents and the learned Special Government Pleader appearing for the third respondent.



2.The petitioner seeks issuance of passport. It is seen that the petitioner is involved in three criminal cases and they have also been charge sheeted. In fact, the learned Special Government Pleader for the third respondent has given relevant case numbers also. Therefore, the only remedy open to the petitioner is to move the jurisdictional Criminal Court for relief. Therefore, the writ petition is dismissed giving liberty to the petitioner to move the jurisdictional Criminal Court where the cases are pending against the petitioner. It is for the jurisdictional Criminal Court to give appropriate relief to the petitioner. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Government of India,
Ministry of External Affairs,
New Delhi.
- 2.The Regional Passport Officer,
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Government of India,
Ministry of External Affairs,
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- 3.The Inspector of Police,
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