

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.13871 OF 2020

J.Krishnakumar

... Petitioner

Vs

The Regional Passport Officer,
Regional Passport Office, 1st Floor,
Corporation Commercial Complex,
Avinashi Road,
Coimbatore - 641 018.

... Respondent

Prayer:-

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus to call for the records of the proceeding in File no.CB1072924101320, dated 15.04.2020 of the respondent and quash the same as illegal, incompetent, unconstitutional and without jurisdiction and further direct the respondent to release the passport bearing No.U5093879 of the petitioner.

For petitioner ... Mr.V.Raghavachari

For respondent ... Mr.Subburanga Bharathi
CGSC

ORDER

The petitioner has challenged the impugned order of the respondent dated 15.04.2020 rejecting the petitioner's application seeking for passport on the ground that the criminal proceedings are pending against the petitioner.

2. A counter affidavit has been filed by the respondent in this writ petition, wherein they have revealed that the petitioner is involved in crime Nos.223/2016, 110/2019 and 9 of 2020 on the file of the Mahalingapuram Police Station and the said crime numbers are under trial in the Judicial Magistrate Court - II, Pollachi.

3. Mr.Raghavachari, learned counsel for the petitioner would now submit before this Court that all the criminal proceedings lodged against the petitioner have now been quashed by various orders passed by this Court. He would also submit that two of the orders have been sent to the learned counsel for the respondent and in respect of the remaining one, he is yet to receive the order copy from the Court and in due course it will also be sent.

4. For the aforesaid submission, the learned Standing counsel appearing for the respondent submits that the petitioner may be directed to send all the orders passed by this Court quashing the criminal proceedings directly to the respondent. He would also further submit on instructions, that the passport is kept ready and only for non receipt of aforesaid orders, the same has not been issued to the petitioner, till date.

5. After recording the submissions made by the respective counsels, this Court directs the petitioner to send the certified copies of the orders passed by this Court quashing the criminal proceedings, which were pending on the file of the Mahalingapuram Police Station in Crime Nos. 223/2016, 110/2019 and 9 of 2020 to the respondent and on receipt of the same and after getting satisfied with the same, the respondents shall issue the passport to the petitioner, within a period of three days from the date of receipt of the said order copies, wherein this Court has quashed the criminal proceedings in the aforesaid crime numbers.

6. With the aforesaid direction, this writ petition is disposed of. No costs. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsi2

To

1. The Regional Passport Officer,
Regional Passport Office,
I Floor, Corporation Commercial Complex,
Avinashi Road, Coimbatore-641 018.

WEB COPY

Copy To
The Judicial Magistrate No.II,
Pollachi

W.P.No.13871 of 2020

SVI (CO)
CS/01/02/2021



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