



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2021

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.1549 of 2021

Narkis Parvin

.. Petitioner

Vs

The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road,
Trichy -8, Trichy District.

.. Respondent

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent herein to renew and reissue the passport bearing No.T 6076734 vide File No.TR1072090249919 in the form of newly Electronically updated Typed format to petitioner in the light of the representation dated 16.12.2020 within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar

For Respondent : Mr.M.Karunanithi
Standing Counsel

ORDER

When the matter is taken up for hearing today, Mr.M.Karunanithi, learned Standing Counsel appearing for the respondent has produced a copy of the order passed by the learned single Judge of this Court in Crl.O.P.(MD) No.19319 of 2016, dated 09.10.2020, wherein, the very same petitioner has approached this Court for quashing of the charge sheet and in that context, the learned single Judge, while dismissing the said criminal original petition, has passed the following direction:-

"7.In view of the above discussions, this Court is not inclined to quash the proceedings in C.C.No.223 of 2015 in Crime No.164 of 2010 on the file of the learned II Additional District Munsif cum Judicial Magistrate, Kumbakonam. Considering the age of the petitioners, the personal appearance of the petitioners are dispensed with and they shall be represented by a counsel. However, the petitioners shall be present before the Court at the time of furnishing of copies, framing charges, questioning under Section 313 Cr.P.C and at the time of passing judgment. The trial Court is directed to complete the



trial in C.C.No.223 of 2015, within a period of nine months from the date of receipt of copy of the order."

2.The learned single Judge earlier insisted the petitioner that she may be permitted to go abroad in view of the fact that her second daughter needs to be assisted by her since she is in crucial stage of conception. However, this Court finds that in view of the specific direction as extracted above, this Court in a parallel proceedings under Article 226 of the Constitution of India cannot give any permission to the petitioner to go abroad, though earlier this Court was inclined to grant such direction. However, this Court in the fitness of things is of the view that it is for the petitioner to approach the criminal side of this Court and seek clarification/modification of the order by bringing the requirements of her daughter and seek appropriate directions, if she is so advised.

3.In view of the same, this Court is not inclined to entertain the writ petition and accordingly, the same stands dismissed. No costs.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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+1 CC to M/s.M.KARUNANITHI, Advocate (SR-10731[F] dated 12/03/2021)

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SJ(CO)

TR(12.03.2021) 2P 2C