



WEB COPY

W.A.(MD)No.747 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2021

CORAM :

The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM

AND

The Hon'ble Mrs.JUSTICE S.ANANTHI

W.A.(MD) No.747 of 2021

Narkis Parvin

... Appellant

Vs

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

... Respondent

Prayer: Writ Appeal filed under Clause XV of Letters Patent Act, to set aside the order in WP(MD)No.1549 of 2021 dated 11.03.2021 on the file of this Court.

Prayer in WP(MD) . 1549/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Pleased to issue a Writ of Mandamus or any other appropriate writ or order or direction in the nature of a writ 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 her representation dated 16.12.2020 within a stipulated period as may be fixed by this Honourable Court and pass any other appropriate order which may be deem fit and proper in the nature and circumstances of the case herein and thus render justice.

For Appellant : Mr.R.Sundar

For Respondent : Mrs.Victoria Gowri,
Additional Solicitor General
of India



J U D G M E N T

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

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This appeal filed by the writ petitioner is directed against the order in WP(MD)No.1549 of 2021 dated 11.03.2021.

2. We have heard Mr.R.Sundar, learned counsel appearing for the petitioner and Mrs.Victoria Gowri, learned Additional Solicitor General of India.

3. With the consent on either side, the Writ Appeal itself is disposed of.

4. The petitioner sought for Writ of Mandamus directing the respondent to renew and re-issue her passport within a stipulated time. The Writ Petition was dismissed by the impugned order on the ground that a criminal case is pending against her and that the appellant was unsuccessful in attempting to quash the Charge Sheet as the CrI.OP(MD)No.19319 of 2016 was dismissed by this Court on 09.10.2020.

5. The learned Additional Solicitor General of India, appearing on behalf of the respondent, on instructions, submitted that the passport issued to the appellant was renewed for a period of one year on 08.05.2019 and the respondent will abide by any order passed by this Court. Furthermore, we note that the petitioner was permitted to go abroad on earlier occasion and presently she wants to go and visit her daughter who is pregnant and likely to deliver shortly. Further, we are informed that there is no progress in the criminal case which is now pending in CC.No.465 of 2019, on the file of the Judicial Magistrate Court, Thiruvidaimaruthur.

6. The learned counsel for the petitioner submitted that the criminal court has dispensed with the personal appearance of the appellant and directed that she shall appear as and when required.

7. In the light of the above, we dispose of the above Writ Appeal by directing the respondent to renew the appellant's passport for a period that may be decided by the respondent. Upon passport being renewed and handed over to the appellant, the appellant shall file an application before the Judicial Magistrate Court, Thiruvidaimaruthur in CC.No.465 of 2019, seeking a direction to go abroad and subject to the orders passed by the criminal court, the appellant is entitled to proceed further in the matter.



7. With the above directions, the Writ Appeal stands disposed of. No costs.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn/mbi

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

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

W.A. (MD) No.747 of 2021

08.06.2021

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