



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.09.2021**

CORAM

THE HONOURABLE MR.JUSTICE **G.ILANGOVA**

W.P. (MD) No.10976 of 2021

WEB COPY

L.Thatheyus Kumar

... Petitioner

Vs

1. The Superintendent of Police,
Kanyakumari District,
at Nagercoil.
2. The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
3. The Regional Passport Officer,
Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai 625 002.

4. Arokiya Raj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 3rd respondent to consider the petitioner's representation dated 21/06/2021 and to impound the Passport of the 4th respondent.

For Petitioner : Mr.M.R.Sreenivasan

For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

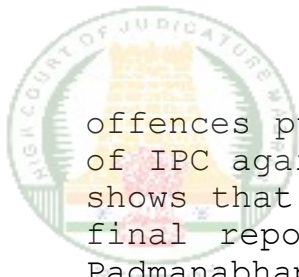
For R3 : Mr.S.Karthik
Central Government Standing Counsel

For R4 : Mr.B.Brijesh Kishore

ORDER

This petition is filed seeking writ of mandamus, directing the 3rd respondent to consider the petitioner's representation dated 21.06.2021 and to impound the passport of the 4th respondent.

2. When the matter is taken up for hearing, the learned counsel appearing for the 4th respondent has circulated a copy of the final report in Crime No.320 of 2021, which was registered for the



offences punishable under Sections 294(b), 323, 324, 341 and 506(2) of IPC against the 4th respondent herein. Reading of the final report shows that the criminal case has been closed as mistake of fact. The final report was filed before the learned Judicial Magistrate-II, Padmanabhapuram on 02.08.2021.

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3. Since the criminal case, which was filed against this petitioner, has been closed as mistake of fact, seeking impound the passport of the 4th respondent may not arise. Nothing survives for further consideration or direction in this petition as the prayer sought for in this petition has now become infructuous. However, the petitioner is at liberty to work out his remedy before the concerned Court through appropriate proceedings.

4. Accordingly, this petition is disposed of as infructuous. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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To

1. The Superintendent of Police,
Kanyakumari District,
at Nagercoil.
2. The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-30762[F] dated 30/09/2021)

+1 CC to M/s.S.KARTHIK, Advocate (SR-30572[F] dated 29/09/2021)

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MGJ(08.10.2021) 2P 6C