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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

CORAM:

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.7399 OF 2022

Rajesh Kanna Murugaiyan

... Petitioner

.Vs.

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

2. The Regional Passport Officer,
Regional Passport Office,
Thiruchirapalli Municipal Water Tank Building,
W.B. Road, Thiruchirapalli - 620 008.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of a writ of Mandamus, directing the 2nd respondent to consider the application of the petitioner dated 15.03.2022 and to renew the Passport bearing No.K0791818 in accordance with law.

For petitioner : Mr.S.Thiruvengadam

For respondents : Ms.A.Anuradha

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for a Mandamus seeking for a direction to the 2nd respondent to renew the passport of the petitioner based on his application dated 15.03.2022, within a time frame to be fixed by this Court.

3. Heard Mr.S.Thiruvengadam, learned counsel for the petitioner and Ms.A.Anuradha, learned counsel for the respondents.



4. The petitioner is a holder of a Passport issued by the second respondent. The petitioner has applied for its renewal on 15.3.2022. His application for renewal has not been considered in view of the fact that an FIR is pending against him in Crime No.1 of 2008 under Sections 498A, 406 and 506(1), IPC, which culminated into a charge sheet and the calendar case is pending as C.C. No.215 of 2018 on the file of the learned Judicial Magistrate - II, Chidambaram. Since a chargesheet has already been filed and it has been taken cognizance by the learned Judicial Magistrate - II, Chidambaram, the petitioner will have to necessarily approach the said Criminal Court seeking permission for obtaining renewal of his passport.

5. The learned counsel for the petitioner seeks liberty of this Court to approach the concerned criminal Court and seek permission for obtaining renewal of the petitioner's passport.

6. After recording the fact that a charge sheet has already been filed and the Criminal Court has taken cognizance of the same, this writ petition is disposed of by granting liberty to the petitioner to approach the learned Judicial Magistrate - II, Chidambaram in C.C. No.215 of 2018 and seek permission to obtain renewal of his passport by filing an appropriate application. On receipt of the application filed by the petitioner, the learned Judicial Magistrate - II, Chidambaram shall dispose of the same, within a period of one month thereafter. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsi2

To

1. The Union of India,
Ministry of External Affairs,
New Delhi.
2. The Regional Passport Officer,
Regional Passport Office,
Thiruchirapalli Municipal Water Tank Building,
W.B. Road,
Thiruchirapalli - 620 008.



3. The Judicial Magistrate No.II,
Chidambaram.

+1cc to Mr.S.Thiruvengadam, Advocate, S.R.No.34745

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GSM(CO)
PBS/30/06/2022