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W.A.No.2452 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2022

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Writ Appeal No.2452 of 2022

S.Saravanan

.. Appellant

Vs.

1. The Regional Passport Officer
Chennai Royala Towers No.2 & 3
IV Floor, Old No.785, New No.158
Anna Salai, Chennai 600 002.

2. The Inspector of Police
DCB Branch, Kanchipuram.

.. Respondents

Prayer: Appeal under Clause 15 of Letters Patent against the order dated 11.11.2021 made in W.P.No.23671 of 2021.

For the Appellant : Mr.R.Abdul Mubeen

For the Respondents : Mrs.R.Anitha
Special Government Pleader
for Respondent-2



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JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

This writ appeal has been directed against the order dated 11.11.2021 made in W.P.No.23671 of 2021.

2. By the impugned order, the learned Single Judge rejected the request of the appellant to re-issue passport on the ground that a criminal case is pending in C.C.No.72 of 2020 on the file of Judicial Magistrate I, Kancheepuram for the offence under Sections 420, 467, 468, 471 and 477A, IPC.

3. Learned counsel for the appellant, assailing the correctness of the impugned order, submitted that mere filing of final report is not sufficient to attract Section 10(3)(e) of the Passport Act, 1967. However, he conceded that there is an allegation in the pending case that the appellant is liable to pay a sum of Rs.17 lakh.

4. We are unable to find any error or infirmity in the impugned



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order. Though learned counsel for the appellant submitted that the appellant is willing to give an undertaking to appear before the trial Court as and when he is called upon so that the pending criminal case can be disposed of at the earliest, we do not wish to entertain any such undertaking. Rather, since the criminal case, which was earlier registered as C.C.No.312 of 2010 on the file Judicial Magistrate, Sriperumbudur and subsequently, transferred to the file of Judicial Magistrate I, Kancheepuram and was renumbered as C.C.No.72 of 2020, is pending from 2010 onwards, we direct the learned Judicial Magistrate I, Kancheepuram to take up the matter on day-to-day basis and dispose of the same, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

The writ appeal is disposed of. There will be no order as to costs. Consequently, CMP No.14284 of 2022 is closed.

(T.R., ACJ.) (D.K.K., J.)
09.11.2022

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To

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T.RAJA, ACJ,
and
D.KRISHNAKUMAR,J

(kpl)

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