



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.4498 of 2022

Sathishkumar

.. Petitioner

vs.

1.The Regional Passport Officer,
Office of the Regional Passport Officer,
Bharathi Ula Veethi, Race Course Road,
Madurai - 625 002.

2.The Inspector of Police,
Avaniyapuram Police Station, Madurai City. .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to issue passport to the petitioner by processing his application No. MD1063883468122 within a stipulated time period in accordance with law on the basis of the representation, dated 26.02.2022.

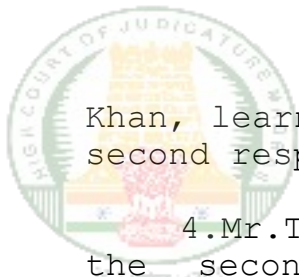
For Petitioner:Mr.C.Senthil Murugan
For R1 :Mr.G.Moovendiran
Central Government Standing Counsel
For R2 :Mr.T.Amjad Khan
Government Advocate

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to issue passport to the petitioner by processing the passport application within a time frame to be fixed by this Court.

2.Due to the pendency of criminal case registered in Cr.No.1872 of 2020 under Sections 294(b) and 323 IPC, the passport has not been issued to the petitioner till date. His application has also not been processed. In such circumstances, he has filed this Writ Petition.

3.Heard Mr.C.Senthil Murugan, learned Counsel for the petitioner, Mr.G.Moovendiran, learned Central Government Standing Counsel, who takes notice for the first respondent and Mr.T.Amjad



Khan, learned Government Advocate, who takes notice on behalf of the second respondent.

4.Mr.T.Amjad Khan, learned Government Advocate appearing for the second respondent would submit that subsequent to the registration of the FIR, charge sheet has been filed against the petitioner on the file of the Judicial Magistrate Court-VI, Madurai on 20.02.2022. The same is recorded.

5.Since charge sheet has already been filed, the petitioner will have to approach the criminal Court seeking permission for issuance of passport. The learned Counsel for the petitioner seeks liberty for the same.

6.Accordingly, this Writ Petition is disposed of by granting liberty to the petitioner to approach the learned Judicial Magistrate-VI, Madurai, seeking permission to obtain a passport in the manner known to him under law. Till such permission is obtained, the first respondent shall keep the passport application submitted by the petitioner pending. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The Judicial Magistrate No.VI,
Madurai.

2.The Inspector of Police,
Avaniyapuram Police Station, Madurai City.

+1 CC to M/s.SPL GP (SR-12158[F] dated 15/03/2022)

Order made in
W.P. (MD)No.4498 of 2022
14.03.2022

cmr

MS/23.03.2022/2P.4C