



W.P.(MD)No.17298 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.17298 2022

Gowsik

... Petitioner

Vs.

1. The Union of India,
Represented by its Principal Secretary,
Ministry of External Affairs,
Union of India,
E-Block,
Central Secretariat,
New Delhi.

2. The Regional Passport Officer,
Bharathi Ula Street,
Race Course Road,
Thamarai Thotti Bus Stop,
Madurai - 625 002.

3. The State,
Represented through Inspector of Police,
Koodankulam,
Tirunelveli District.
Crime No.5 of 2018.

... Respondent



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PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the second respondent to release retained granted fresh Passport in File No.MD206035785817 on the file of the second respondent to the petitioner.

For Petitioner : Mr.A.Jeyaram

For Respondents : Mr.K.Maharajan for R1 and R2
Central Govt Standing Counsel
Mr.G.Sivaraj
Government Advocate for R3

ORDER

Heard the learned counsel on either side. The petitioner sought issuance of passport. Citing the pendency of criminal case, it is not issued. Hence, the Writ Petition came to be filed.

2. When the matter was taken up for hearing, it was seen that the passport application was given way back in 2017. Crime No.5 of 2018 culminated in C.C.No.176 of 2020 on the file of the learned Judicial Magistrate, Radhapuram. As on date, the matter is pending at trial stage. Therefore, the petitioner has to necessarily move the Jurisdictional Magistrate Court.



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3. This Writ Petition is disposed of by permitting the petitioner to file a Miscellaneous Petition before the learned Judicial Magistrate, Radhapuram seeking the relief now sought for before me. As and when such Miscellaneous Petition is filed, the same shall be disposed of in accordance with law within a period of three weeks after such filing.

4. With this liberty to the writ petitioner and direction to the learned Judicial Magistrate, Radhapuram, this Writ Petition is disposed of. No costs.

25.08.2022

Index : Yes / No

Speaking Order : Yes / No

vji



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