



W.P(MD)No.20528 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20528 of 2022

Chandrasekar

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai.

2.The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
(In Crime No.51/2019)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to renew or reissue the passport (bearing no.K8609052) to the petitioner based on his application in MD 1074523874122, ARN 22-1009618681 dated 24.08.2022 and to allow him to travel abroad.

For Petitioner : Mr.R.Balamuruganantham

For R1 : Mr.V.J.Kumaravel
SPC

For R2 : Mr.R.Sivakumar
Government Advocate (Crl.side)



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ORDER

Heard the learned counsel for the writ petitioner and the learned Senior Panel Counsel for R1 and the learned Government Advocate (Crl.side) for R2.

2. The petitioner seeks issuance of passport. It is admitted that C.C.No.572 of 2019 is pending on the file of the learned Judicial Magistrate No.2, Sivagangai in which the writ petitioner is figuring as accused. When an applicant for issuance passport is being prosecuted, if it is at the FIR stage, this Court will direct the authority to grant passport. But if the case had culminated in final report and also taken on file, then it is only the trial Magistrate, who has to take a call in the matter. Therefore, I relegate the petitioner to move the jurisdictional Magistrate with the relief now sought for in this writ petition. As and when the petitioner takes out an application, the same will be disposed of on merits and in accordance with law within a period of three weeks thereafter. I make it clear that I have not gone into the merits of the matter.

3. With this liberty to the writ petitioner and direction to the learned trial Magistrate, the writ petition is disposed of. No costs.

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Index : Yes / No
Internet : Yes/ No
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To

The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.

G.R.SWAMINATHAN, J.



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