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W.P.(MD)NO.27860 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.27860 of 2022 and
W.M.P.(MD)Nos.21945 & 21946 of 2022

Dhanushyaraam

... Petitioner

Vs.

1. The Superintendent of Police,
Karur District, Karur.

2. The Inspector of Police,
Vangal Police Station, Vangal,
Karur District.

3. The Regional Passport Officer,
Corporation Shopping Complex,
1st Floor, Avinashi Road,
Opp. Thandumariamankovil,
ATT Colony, Gopalapuram,
Coimbatore.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to call for the records relating to the proceedings of the 3rd respondent dated 21.09.2022 made in File No.CBI074609472922 quash the same and consequently direct the 3rd respondent to issue passport without insisting for No Objection Certificate within the stipulated time fixed by this Court.



For Petitioner : Mr.N.Shanmugaselvam

For R-1 & R-2 : Mr.R.Sivakumar,
Government Advocate (Crl. Side)

For R-3 : Mr.M.Karthikeya Venkatachalapathy,
Special Panel Counsel.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner is a holder of Indian passport. He seeks re-issuance of passport. However, his request has been put on hold in view of the criminal case registered against the petitioner. It is true that Crime No.603 of 2020 registered on the file of Vangal police station has culminated in final report and it has been taken on file in C.C.No.62 of 2021 on the file of the Judicial Magistrate No.II, Karur. However, the said proceedings have been stayed by this Court in Crl.O.P. (MD)No.18578 of 2021.

3. I wanted to know from the petitioner's counsel whether the interim order earlier granted by this Court was



subsequently extended. It appears that the interim order that was originally granted has not been extended. Therefore, the interim order granted by this Court got vacated automatically. The petitioner has to necessarily move the jurisdictional trial Magistrate for relief. If the petitioner files any miscellaneous petition before the jurisdictional trial Magistrate, the same will be disposed of on merits and in accordance with law within a period of three weeks thereafter.

4. With this liberty to the petitioner and direction to the learned jurisdictional trial Magistrate, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

16.12.2022

Index : Yes / No

Internet : Yes/ No

PMU

Note : Registry to mark a copy of this order
to the learned Judicial Magistrate No.II, Karur.



WEB COPY



To:

1. The Superintendent of Police,
Karur District, Karur.
2. The Inspector of Police,
Vangal Police Station, Vangal,
Karur District.
3. The Regional Passport Officer,
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1st Floor, Avinashi Road,
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WEB COPY



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G.R.SWAMINATHAN,J.

PMU

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