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W.P.No.8117 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.8117 of 2023 and

W.M.P.No.8363 of 2023

M.Sridhar

...Petitioner

VS.

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

2. The Inspector of Police,
W25, All Women Police Station,
Mambalam, T.Nagar,
Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Mandamus directing the respondents to grant permission to
the petitioner to travel abroad / Dubai between 15.03.2023 to 20.03.2023 for
the purpose to attending the audio launch in the film name of RAVANA
KUTTAM organized by M/s.KRG group of company.

For Petitioner : Mr.R.Subburaj

For Respondents : Mr.M.Sathyam for R1
Mr.E.Veda Bagath Singh for R2



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ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents to grant permission to the petitioner to travel abroad / Dubai between 15.03.2023 to 20.03.2023 for the purpose of attending the audio launch of the film named RAVANA KUTTAM organized by M/s.KRG group of company.

2. The case of the petitioner is that he is a dance master running a dance training school in the name and style of Mannjazz Dance Academy (ARS Sridhar Dance Academy) at T.Nagar, Chennai. On 31.01.2018, Actress Amala Paul had lodged a complaint on the file of the second respondent against one Azhageswaran and the same was registered in Crime No.1 of 2018 and the said offence took place in the petitioner's dance academy. Further, the second respondent implicated the petitioner as one of the accused in the final report and the same was taken on file as C.C.No.12310 of 2018 before the learned XVII Metropolitan Magistrate Court, Saidapet, Chennai. Aggrieved over the same the petitioner filed a quash petition before this Court. This Court vide order dated 17.07.2019,



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passed an interim order and stayed the charge sheet in CrI.M.P.No.9632 and 9633 of 2019 in CrI.O.P.No.18922 of 2019. Since the petitioner's passport is with the first respondent, he was not able to travel to Malaysia for the purpose of attending a function, for which the petitioner filed a writ petition in W.P.No.27601 of 2019, seeking to permit him to travel to Malaysia. This Court vide order dated 20.09.2019 disposed of the said petition with a direction to the respondents to permit the petitioner to travel to Malaysia 24.09.2019 to 29.09.2019. Further, the petitioner was also directed to file an affidavit before the Regional Passport Officer undertaking to return to India. As per the said affidavit the petitioner returned to India on 29.09.2019 and handed over his passport to the first respondent. However, M/s.KRG group of companies, Dubai engaged the petitioner for an audio launch for a film named Ravana Kuttam at Dubai from 15th to 19th March 2023. While so, the petitioner approached the first respondent to release his passport and permit him to travel to Dubai on 15th to 20th March 2023. Since the same was not considered by the first respondent, the present writ petition has been filed seeking the aforesaid relief.



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3. Learned counsel for the petitioner submitted that the petitioner has no intention to abscond and he is ready and willing to co-operate with the criminal proceedings pending before this Court. Though the criminal proceedings in Cr.No.1 of 2018 was settled between the parties and the same was recorded before the aforesaid Court, the first respondent rejected the petitioner's claim stating that without any order from the Court they cannot permit him to travel abroad. Hence, it would suffice if this Court issues a direction to the respondents to permit the petitioner to travel abroad / Dubai for a period of five days from 15.03.2023 to 20.03.2023 for the purpose of the aforesaid reason by releasing his passport.

4. Learned counsel appearing for the respondents submitted that though the petitioner is well aware that the event is going to be conducted in Dubai from 15.03.2023, belatedly approaching this Court seeking the aforesaid relief by filing the present writ petition which is not sustainable. Hence he prayed for dismissal of the present writ petition.

5. Heard the arguments advanced on either side and perused the



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materials available on record.

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6. Considering the limited relief sought for by the petitioner, and also the undertaking of the petitioner's counsel this Court directs the petitioner to file an undertaking affidavit before the respondents on or before 16.03.2023 undertaking to return to India on or before 20th March and on furnishing of such affidavit, the respondents shall consider the same and pass appropriate orders on or before 17.03.2023.

7. This Writ Petition is accordingly disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

15.03.2023

RAP

Index : Yes/No

Speaking order : Yes/No

Note : Issue Order copy today i.e.,15.03.2023



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M.DHANDAPANI, J.

RAP

To

1. The Regional Passport Officer,
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