



W.P(MD)No.4362 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4362 of 2023

Aswin Ponnappan

... Petitioner

Vs.

1.The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.
(In Crime No.205 of 2022)

2.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

... 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 2nd respondent to consider the petitioner's representation / explanation dated 18.02.2023 and consequentially to direct the 2nd respondent to dispose of the proceedings against the petitioner under Passport Act, issue petitioner's passport immediately and thereby permit the petitioner to travel abroad.



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For Petitioner : Mr.G.Anto Prince

For Respondents : Mr.S.Jeyasingh,
Senior Panel Counsel for R2.
Mr.B.Thanga Aravindh,
Govt. Advocate (Crl. Side) for R1.

ORDER

Heard the learned counsel on either side.

2.When the matter was taken up for disposal, the learned Government Advocate (Crl. Side) submitted that the criminal case registered against the petitioner has culminated in C.C.No.303 of 2023 on the file of the learned Judicial Magistrate No.III, Nagercoil. Therefore, the petitioner has to necessarily move the jurisdictional Magistrate for permission. As and when such an application is filed, the jurisdictional Magistrate is directed to dispose of the same on merits and in accordance with law within a period of three weeks thereafter.

3.The writ petition is disposed of accordingly. No costs.

02.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No



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To:-

The Inspector of Police,
Suchindram Police Station,
Kanyakumari District.

Copy to:-

The Judicial Magistrate No.III,
Nagercoil.



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G.R.SWAMINATHAN, J.

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