



W.P.(MD) No.5906 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.5906 of 2020

J.Sahayaraja

.. Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi ula Veethi,
Race Course Road,
Madurai-625 002.

2.The Inspector of Police,
Mangalamedu Police Station,
Perambaloor District,
Cr.No.383 of 2015.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the 1st respondent to return back the petitioner's passport bearing No.U2253068 dated 20.11.2019 which was surrendered on 09.12.2019.



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For Petitioner : Mr.S.Alagarsamy
For R1 : Mr.K.Prabu
Central Government Counsel
For R2 : Mr.M.Vaikkam Karunanithi
Government Advocate

ORDER

This Writ Petition is filed to issue Writ of Mandamus directing the 1st respondent to return back the petitioner's passport bearing No.U2253068 dated 20.11.2019, which was surrendered on 09.12.2019.

2. Heard the learned counsel for the petitioner, the learned Central Government Counsel for the first respondent and the learned Government Advocate for the second respondent.

3. It is brought to the notice of this Court that a criminal case was registered against the petitioner in C.C.No.62 of 2022 on the file of the Judicial Magistrate, Perambalur and subsequently, the same has been disposed of acquitting the petitioner from the crime.



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4. Since a criminal case had been initiated against the petitioner, this Court is not inclined to grant the relief as such sought for in this Writ Petition. However, while dismissing this Writ Petition, liberty is granted to the petitioner to make an application to the Judicial Magistrate, Perambalur to return the passport back. On receipt of such application, the Judicial Magistrate, Perambalur shall pass orders on merits and in accordance with law.

5. In the result, this Writ Petition is dismissed. However, there shall be no order as to costs.

10.03.2023

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

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P.T.ASHA, J.

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To

- 1.The Regional Passport Officer,
Regional Passport Office,
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