



W.P.(MD) No.7762 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD) No.7762 of 2023

K.Siva Krishnan

... Petitioner

VS.

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

2.The Inspector of Police,
Shencottai Police Station,
Tenkasi District.
(Crime No.188 of 2015)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to temporarily issue passport to the petitioner for the period in between 15.04.2023 and 10.05.2023 by considering the petitioner's application in file No.MD2063689706121 dated 02.11.2021.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.J.Balaji Krishnan (for R1)

Mr.J.Ashok
Additional Government Pleader (for R2)



W.P.(MD) No.7762 of 2023

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ORDER

The writ petition has been filed in the nature of Writ of Mandamus, seeking a direction against the first respondent to issue what the petitioner claims to be a temporary passport for the period between 15.04.2023 and 10.05.2023.

2.The petitioner had filed an application in file No.MD2063689706121 on 02.11.2021. The first respondent had issued notice to the petitioner stating that the trial in C.C.No.562 of 2016 is now ongoing, wherein, the petitioner is an accused, which trial is before the learned Judicial Magistrate Court at Shencottai. It was under these circumstances, the petitioner had filed the present writ petition seeking temporary passport. It is also to be stated that the petitioner seeks to go abroad to be a coach for the students of the Silambam Institution, which is running in the name of “Gurukulam Chithirach Silambam Training Centre” at Illanji Village, Tenkasi District in the 4th International Youth Games Championship in 2023 at Dubai. The petitioner is a National Coach. The petitioner will necessarily have to obtain permission from the learned Judicial Magistrate, if he wants to go abroad.



W.P.(MD) No.7762 of 2023

WEB COPY

3.A direction is given to the first respondent to, irrespective of the Calender Case pending against the petitioner herein, if the petitioner is otherwise eligible, issue passport to the petitioner. Such passport is to be issued, on or before 30.04.2023 after following the due process of law. Thereafter, the petitioner will have to file a necessary petition before the concerned Judicial Magistrate seeking permission to go abroad. It is a prerogative of that particular Court to pass necessary orders.

4.With the above observations and directions, this Writ Petition stands disposed of. No costs.

18.04.2023

Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 19.04.2023.

To

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



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W.P.(MD) No.7762 of 2023

C.V.KARTHIKEYAN,J.

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2.The Inspector of Police,
Shencottai Police Station,
Tenkasi District.

W.P.(MD) No.7762 of 2023

18.04.2023