



W.P.(MD) No.10681 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD) No.10681 of 2023

M.Habeeb Mohamed Sadhakadulla

.. Petitioner

Vs.

1.The Government of India,
Ministry of External Affairs,
New Delhi.

2.The Regional Passport Office,
Regional Passport Office,
Government of India,
Ministry of External Affairs,
Bharathi Ula Veethi
Race Course Road,
Madurai-625 002.

3.The Inspector of Police,
District Crime Branch,
Ramanathapuram,
Ramanathapuram District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Certiorarified Mandamus, to call for the



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records of the 2nd respondent's impugned communication No.SCN/314491545/23 dated 23.03.2023 and quash the same and consequently, direct the second respondent to issue passport to the petitioner by considering the petitioner's application No. MD1065189144273 dated 20.03.2023, within a period stipulated by this Court.

For Petitioner	:	Mr.I.Kalantar Aasik Ahamadu
For R1&R2	:	Mr.R.Vijayarajan
For R3	:	Mr.J.Ashok Additional Government Pleader.

ORDER

This writ petition has been filed in the nature of a certiorarified mandamus seeking interference with an order of the second respondent in Communication No.SCN/314491545/23, dated 23.03.2023 and direct the second respondent to issue passport on the basis of application No.MD1065189144273, dated 20.03.2023.

2.In the impugned order, it has been directed that the petitioner should appear before the second respondent along with proper clarification.



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3.The learned counsel appearing for the petitioner stated that the petitioner was examined as P.W.9 in C.C.No.140 of 2017 which is pending before the learned Judicial Magistrate No.II, Ramanathapuram.

4.Since the petitioner is only a witness in the prosecution, there cannot be any bar for the second respondent to deny the grant of passport or renewal of passport.

5.In the instant case, the petitioner only seeks issuance of passport. A direction is given to the respondent, particularly, the second respondent to proceed further with the application of the petitioner and issue passport, if the petitioner is otherwise eligible, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ petition is disposed of. No costs.

13.06.2023

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



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C.V.KARTHIKEYAN, J.

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To

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