



W.P(MD)No.12892 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.06.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.12892 of 2023

Ashik Abdullah

... Petitioner

Vs.

1.The Regional Passport Officer,
Government of India Ministry of External affairs,
Regional Passport office, Madurai.
Bharathi Ula Veethi,
Race Course Road, Madurai.

2.The Passport Officer,
Melkkal Main Road Passport Office,
Kochadai,
Madurai, Madurai District.

3.The Inspector of Police,
Kadayam Police Station,
Tenkasi District.
(Crime No.51 of 2020).

... Respondents

PRAYER :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing to the 1st and 2nd respondents to reissue a passport to the petitioner basis of the application File No. MD2075287296923 within the time stipulated by this Court.



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For Petitioners : Mr.A.Banumathy
Advocate.

For R1 and R2 : Mr.K.Govindarajan
Deputy Solicitor General of India

For R3 : Mr.J.Ashok
Additional Government Pleader

ORDER

The writ petition has been filed in the nature of a mandamus, seeking a direction to the first respondent, Regional Passport Officer, Madurai, to re-issue the passport of the petitioner, consequent to application in file No.MD2075287296923.

2. The petitioner is the holder of an Indian passport bearing No.P5812772. His passport had expired. The petitioner had applied for re-issue by the aforementioned application. It was then informed that the third respondent had registered FIR in Crime No.51 of 2020 for alleged offence under Section 294(b), 323, 324 and 506(2) IPC on 29.01.2020. Consequent to investigation, final report had been presented before the Judicial Magistrate Court at Ambasamudram and taken cognizance as C.C.No.19 of 2022. The petitioner herein is the first accused in the said calendar case.



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3. The petitioner may file necessary application before the said Judicial Magistrate Court, Ambasamudram, seeking permission to reissue of the passport and the learned Judicial magistrate may take into consideration all factors, namely the nature of the offence involved, if convicted, the probable sentence that would be imposed and also on the other aspect of the appearance of the petitioner before Court and then take an appropriate decision on the application of the petitioner herein.

4. Giving that direction to the petitioner, the writ petition is disposed of.
No costs.

22.06.2023

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

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C.V.KARTHIKEYAN, J.

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To

- 1.The Regional Passport Officer,
Government of India Ministry of External affairs,
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Race Course Road, Madurai.
- 2.The Passport Officer, Melkkal Main Road Passport Office,
Kochadai, Madurai, Madurai District.
- 3.The Inspector of Police, Kadayam Police Station, Tenkasi District.
(Crime No.51 of 2020).
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
W.P(MD)No.12892 of 2023

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