



W.P(MD)No.13179 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.13179 of 2023

M.Divanoli

... Petitioner

Vs

1. The Government of India,
Ministry of External Affairs, New Delhi.
2. The Government of India,
Ministry of External Affairs,
Regional Passport Office,
Madurai Bharathi Ula Veethi,
Race Course Road, Madurai-625 002.
3. The Inspector of Police,
Tenkasi Police Station, Tenkasi District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the second respondent impugned communications No.SCN/314501381/23, dated 24.03.2023 and quash the same and consequently direct the second Respondent to issue passport to the petitioner by considering the petitioner's application No.MD2074942109123, dated 05.01.2023.



W.P(MD)No.13179 of 2023

For Petitioner : Mr.S.Atham Ali
For R1, R2 : Mr.K.Govindarajan
Deputy Solicitor General of India
For R3 : Mr.N.Muthu Vijayan
Special Government Pleader

ORDER

The Writ Petition has been filed in the nature of Certiorarified Mandamus, seeking records relating to the communication No.SCN/314501381/23, dated 24.03.2023 issued by the second respondent and direct the passport of the petitioner to be issued in application No.MD2074942109123.

2.A status report had been filed on behalf of the third respondent by the learned Special Government Pleader, wherein, it had been stated that consequent to registration of FIR in Cr.No.199 of 2020, Cr.No.144 of 2022 had been registered under Sections 143, 290, 291, 341, 353 IPC. It had been stated that the charge sheet has been filed before the Judicial Magistrate, Tenkasi who taken cognizance as C.C.No. 559 of 2023. It is pending trial. It is only appropriate that the petitioner approaches the learned Judicial Magistrate seeking permission to apply



W.P(MD)No.13179 of 2023

WEB COPY

for passport. The learned Judicial Magistrate may keep in mind that the petitioner is a citizen of the country and get necessary assurance about the appearance of petitioner, during the course of trial and then pass a considered order.

3.Giving this liberty, this writ petition stands disposed of.

No costs.

21.06.2023

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

To

1. The Government of India,
Ministry of External Affairs, New Delhi.
2. The Government of India,
Ministry of External Affairs,
Regional Passport Office,
Madurai Bharathi Ula Veethi,
Race Course Road, Madurai-625 002.
3. The Inspector of Police,
Tenkasi Police Station, Tenkasi District.



WEB COPY



W.P(MD)No.13179 of 2023

C.V.KARTHIKEYAN, J.

PNM

ORDER IN
W.P(MD)No.13179 of 2023

21.06.2023