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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD) No.22345 of 2023

Subin

... Petitioner

VS.

The Regional Passport Officer,
Madurai, Madurai District.

... Respondent

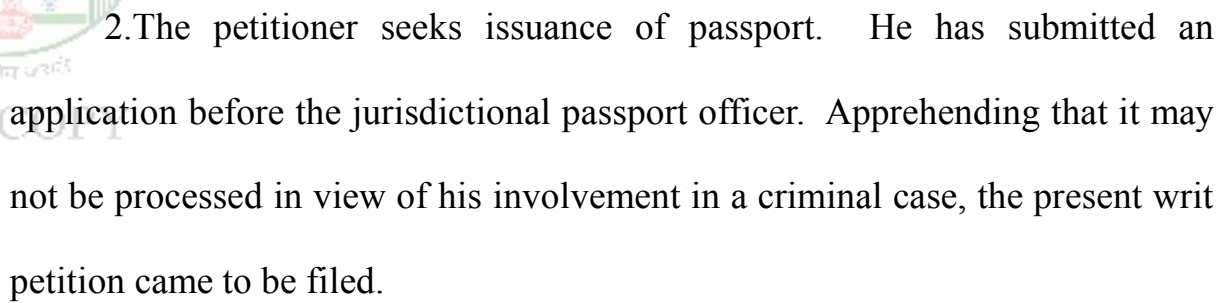
Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to consider the petitioner's reply dated 19.08.2023 and process the petitioner's passport application bearing file No.MD2075368907523 dated 17.05.2023 and issue passport to the petitioner within a stipulated time that may fixed by this Court.

For Petitioner : Mr.SC.Herold Singh

For Respondent : Mr.K.Maharajan

ORDER

Heard both sides.



4. The petitioner is given liberty to move the trial Court for the relief now sought for. As and when such miscellaneous petition is filed, it shall be numbered and disposed of within a period of three weeks thereafter. The learned trial Judge shall bear in mind that right to travel abroad is a fundamental right. The petitioner's career and avocation may be at stake if she is denied the right to go abroad. Therefore, the trial Court unless there are extraordinary circumstances shall not deny relief. Of course, the period of validity of passport will have to be restricted. It is also open to the trial Judge to stipulate appropriate conditions to ensure that the prosecution is not stalled on account of the petitioner's absence from India. If necessary, the applicant can



be directed to file an application under Section 205 of Cr.P.C by executing a special vakalat.

5. Based on the order passed by the trial Court, the petitioner shall move the jurisdictional regional passport officer who shall dispose of the petition-mentioned application in terms of the said order.

6. This writ petition is disposed of accordingly. No costs.

22.11.2023

Index : Yes / No
Internet : Yes/ No
skm

To

The Regional Passport Officer,
Madurai, Madurai District.



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G.R.SWAMINATHAN, J.

SKM

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