



W.A.(MD) No.675 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.A.(MD) No.675 of 2023

P.Mispa Issac Newton

... Appellant

-VS-

1.The Passport Officer,
The Regional Passport Office, (Madurai),
Barathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

2.The Superintendent of Police,
Dindigul District, Dindigul.

3.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.

... Respondents/
Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order,



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dated 08.07.2022, passed in W.P.(MD) No.14716 of 2022, on the file of this Court.

For Appellant : Mr.S.Sankar

For Respondents : Mr.K.Govindarajan
Deputy Solicitor General of India for R1
Mr.A.Baskaran
Additional Government Pleader for R2 & R3

J U D G M E N T

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

The Writ Court has dismissed the writ petition filed by the petitioner observing that it is for the petitioner to move the concerned criminal court.

2. Though, the learned counsel appearing for the petitioner would submit that he has filed the writ petition before the committal proceedings, that by itself will not a ground for the petitioner to approach this Court without approaching the criminal court concerned.



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3. The Office Memorandum issued by the Government of India dated 10.10.2019 makes it very clear that a person charged with the criminal offence will have to necessarily get the permission of the criminal court in order to exempts an applicant from the operation of Section 6(2)(f) of the Passports Act, 1967.

4. In view of the clear legal position, we cannot attribute to any error to the order of the Writ Court. The writ appeal fails and it is accordingly dismissed. No costs.

[R.S.M., J.]

[L.V.G., J.]

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NCC : No
Index : No
Internet : Yes
PKN

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