



W.P(MD)No.28548 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

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THE HONOURABLE **MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.28548 of 2022

R.Murugesan

... Petitioner

Vs.

1.The Regional Passport Officer,
Office of the Regional Passport Office,
Bharathi Ula Veedhi,
Race Course Road,
Madurai-625 002.

2.The Inspector of Police,
Ettaiyapuram Police Station,
Thoothukudi District.
(Crime No.359 of 2017)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent herein to re-issue the passport in the petitioner name favour based on the petitioner application vide File No.MD 01C5079678722, dated 14.10.2022.

For Petitioner : Mr.M.Ebenezer Prince

For R-1 : Mr.Arjunarajan
Senior Panel Counsel



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For R-2 : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

ORDER

Heard the learned Counsel on either side.

2. The petitioner seeks re-issuance of passport. Apprehending that his application will not be processed, this writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Government Advocate submitted that the criminal case registered against the petitioner has since culminated in C.C.No.356 of 2017 on the file of learned Judicial Magistrate No.II, Kovilpatti, Thoothukudi District. The petitioner therefore has to necessarily move the jurisdictional Court for relief .

4. The petitioner is permitted to file an M.P before the learned trial Magistrate seeking the relief now sought for. The learned trial Magistrate will dispose of the said M.P within three weeks after it is filed. I make it clear that I have not gone into the merits of the matter. With this liberty to the writ petitioner to approach the learned Trial Magistrate and direction to the learned Trial Magistrate to give time bound disposal. Registry is directed to mark a



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copy of this order to the learned Judicial Magistrate No.II, Kovilpatti, Thoothukudi District. The writ petition stands disposed of. There shall be no order as to costs.

12.01.2023

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

To

- 1.The Regional Passport Officer,
Office of the Regional Passport Office,
Bharathi Ula Veedhi,
Race Course Road,
Madurai-625 002.
- 2.The Inspector of Police,
Ettaiyapuram Police Station,
Thoothukudi District.
- 3.The Judicial Magistrate No.II,
Kovilpatti,
Thoothukudi District.



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G.R.SWAMINATHAN, J.

Btr

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