



WEB COPY



W.P.No.2680 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.2680 of 2024

Mohamed Jamaldeen

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office, Royala Towers,
No.2 And 3 Iv Floor, Old No.785, New No.158,
Anna Salai, Chennai-600 002.

2.The Inspector of Police
Cheeranmahadevi Police Station,
Cheranmahadevi, Tirunelveli District.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the first respondent to re-issue the passport to the petitioner based on his application in file Number file Number ARN 23-1010082525/ MA1075680820523 dated 14.08.2023 within a stipulated time.

For Petitioner : Mr.R.Krishnan

For Respondents : Dr.D.Simon CGSC [R.1]
: Mr.S.Vinoth Kumar,
Govt. Advocate (Crl.Side) [for.R.2]



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ORDER

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The relief sought for in the present writ petition is to direct the first respondent to re-issue the passport to the petitioner based on his application in file Number file Number ARN 23-1010082525/MA1075680820523 dated 14.08.2023 within a stipulated time.

2. The petitioner submitted an application for re-issuing of passport through on-line portal on 14.08.2023. since no decision has been taken, the present writ petition came to be instituted. It is brought to the notice of this court that a criminal case has been registered against the writ petitioner in FIR No.163 of 2022 on 01.11.2022 under Section 147, 148, 294(b), 324, 506(i) on IPC and Section 4 of TNWH Act. The charge sheet has been filed on the file of the District Munsif and Judicial Magistrate, Cheranmahadevi in C.C.No.123 of 2023 and pending.

3. When a criminal case is pending the petitioner has to approach the jurisdictional criminal court seeking permission to travel abroad. The Divisional Passport Officer is empowered to reject the application in such circumstances under Section 6(f) of the Passport Act. Thus, the petitioner is at liberty to approach the jurisdictional criminal court of law, if he takes



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a decision to travel abroad.

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4. Accordingly, the writ petition stands dismissed. No costs.

(sha)

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Index : Yes

Speaking Order

Neutral Citation : Yes

To

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Anna Salai, Chennai-600 002.

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S.M.SUBRAMANIAM. J.,

(sha)

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