



W.P.No.36917 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 10.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.36917 of 2024

S.Srinivasan

...Petitioner

Vs

1. The Union of India,
Rep. by Secretary,
Ministry of External Affairs,
New Delhi.
2. The Regional Passport Officer,
Rayala Towers, Mount Road,
Chennai 600 002.
3. The Inspector of Police,
Civil Supply CID, Cuddalore Wing,
Cuddalore.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking for issuance of a writ mandamus, directing the second respondent to verify the petitioner's representation dated 17.11.2024 and issue Passport to the petitioner in Application File No.MA1073599056521 dated 24.09.2021, within a stipulated time.



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For petitioner : Mr.N.Vijayaraj
For respondents : Mr.R.K.Gandhi,
Senior Central Govt. Standing Counsel
for first & second respondent.
Mr.L.Baskaran, Govt. Advocate
for third respondent

ORDER

The writ petitioner herein seeks a direction to the second respondent to consider his application dated 17.11.2024 and issue Passport, based on his application in File No.MA1073599056521 dated 24.09.2021.

2. It is the case of the petitioner that he applied for issuance of Passport in the year 2015 and the same is kept pending before the respondent without any reason and hence, he has come before this Court.

3. Mr.R.K.Gandhi, learned Senior Central Government Standing Counsel takes notice for the first and second respondent; Mr.L.Baskaran, learned Government Advocate takes notice for the third respondent.



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4. The learned Standing Counsel appearing for the third respondent filed a status report of the third respondent stating that a criminal case is pending against the petitioner in C.C.No.46/2015 on the file of the Judicial Magistrate-I, Cuddalore for the offences under Sections 6(4) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities Act 1955 and 109, 474, 482 IPC. It is further stated that the next date of hearing is 29.01.2025 and posted for execution of NBW against A13 and A14 and in the said case, the petitioner is arrayed as A5.

5. In view of the status report, criminal case is pending against the petitioner before the Judicial Magistrate Court in India. In such circumstances, it is for the petitioner to file appropriate application before the concerned Court seeking permission for visiting foreign country and if any such application is filed, the concerned court shall consider the same and pass orders, within a period of four weeks from the date of receipt of application. In case, the petitioner is permitted to visit the foreign country by the concerned court, it is open to him to get certified copy of the order and produce the same before the second



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respondent. If the petitioner produces the order of the concerned court, it is for the second respondent to process the application of the petitioner and pass final orders on its own merits, within a period of four weeks from the date of receipt of the order of the concerned court.

6. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

10.12.2024.

Index : Yes / No

Internet : Yes / No

mst

To

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S.SOUNTHAR, J.
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