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W.P.No.38753 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.38753 of 2024

R.Preethi

... Petitioner

VS.

1.The Regional Passport Authority
Regional Passport Office
Tiruchirappalli

2.The Superintendent of Police
District Police Office
Nagapattinam District
Nagapattinam.

3.The Inspector of Police
Thirukuvalai Police Station
Nagapattinam District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to issue the passport to the petitioner in order to enable the petitioner to participate in the International Tamil Debate Competition 7.0 to be held on 4th and 5th January, 2025 in Malaysia.

For Petitioner : Mr.K.M.Subrahmaniam



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For R1 : Mr.P.K.Ganesh
Central Government Counsel

For R2 and R3 : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to the 1st respondent to issue passport to enable the petitioner to participate in the International Tamil Debate Competition to be held at Malaysia on 04.01.2025 and 05.01.2025.

3. It is the case of the petitioner that she applied for passport before the 1st respondent and the same has not been processed by the 1st respondent. Therefore, the petitioner has come before this Court seeking necessary direction to process the passport application of the petitioner.

4. Mr.P.K.Ganesh, learned Central Government Counsel takes notice



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for the 1st respondent and Mr.L.Baskaran, learned Government Advocate (Crl.Side) takes notice for the respondents 2 and 3.

5. The learned Central Government Counsel appearing for the 1st respondent submitted that the passport application submitted by the petitioner has not been processed as the 1st respondent is waiting for police report.

6. The learned Government Advocate (Crl.Side) appearing for the respondents 2 and 3 by taking this Court to the Status Report filed by the 3rd respondent dated 17.12.2024, submitted that an FIR was registered as against the petitioner on the file of the Thirukuvalai Police Station, Nagapattinam District/3rd respondent herein in Crime No.65 of 2023 under Sections 294(b), 448, 352 and 506(i) IPC and after completion of investigation, a charge sheet was filed before the District Munsif-cum-Judicial Magistrate Court, Thirukuvalai on 12.06.2023. It is also stated that the above said case was taken on file as STC.No.53 of 2023 and it is posted for examination of witness on 06.01.2025.

7. In view of the status report filed by the 3rd respondent-Police that a



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criminal case is pending before the Court in India, the petitioner is directed to file an application before the concerned Court by tomorrow (i.e., 19.12.2024) seeking permission from the said Court to visit Malaysia temporarily.

8. Taking into consideration the submission made by the learned counsel appearing for the petitioner that the petitioner is a bright student and she has got an opportunity to participate in the International Tamil Debate Competition to be held in Malaysia, the concerned Court is directed to consider the application submitted by the petitioner and pass final orders on its own merits and in accordance with law, on or before 27.12.2024.

9. If the petitioner is permitted to go abroad by the concerned Court, the web copy of the order passed by the concerned Court shall be produced by the petitioner before the Passport Authority namely the 1st respondent and on submission of the web copy of the order, the 1st respondent shall process the application of the petitioner for issuance of passport to her and pass final orders on its own merits on or before 02.01.2025.

10. With the above directions, the Writ Petition stands disposed of.



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No costs.

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Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

dm

Note: Issue order copy on 18.12.2024.

To

1.The Regional Passport Authority
Regional Passport Office
Tiruchirappalli.

2.The Superintendent of Police
District Police Office
Nagapattinam District
Nagapattinam.

3.The Inspector of Police
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S.SOUNTHAR, J.

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