



W.P(MD)No.9985 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 29.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9985 of 2024

and

W.P(MD)No.9028 of 2024

Pushpavalli

... Petitioner

Vs.

1.The Secretary to the Government of India,
Ministry of Indian Overseas Affairs,
Akbar Bhavan,
Chanakyapuri,
New Delhi – 110 021.

2.The Consular / Authorized Officer,
Embassy of India,
Diplomatic Enclave, Safat
Arabian Gulf Street,
Kuwait City 13015,
Kuwait.

3.The Regional Passport Authority,
Madurai Region,
Madurai.

4.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.
(Crime No.151 of 2017)

... Respondents



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Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to issue a temporary or transit passport so as to enable the petitioner's son, namely, Veeramani, S/o.Baluchamy to return back to India to conduct the criminal case in C.C.No. 49 of 2018 pending before the learned Judicial Magistrate No.I, Sivagangai by considering the petitioner's son's explanation Letter dated 26.03.2024.

For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.D.Saravanan
Central Government Standing Counsel
for R.1 & R.3

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.4

ORDER

Heard both sides.

2.The petitioner seeks reissuance of passport for her son. The petitioner's son is presently in Kuwait. He is facing prosecution in C.C.No.49 of 2018 on the file of the learned Judicial Magistrate No.1, Sivagangai. It is only a case arising under Section 304A IPC. In any event, the petitioner only wants his son to come back to India.



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3. Therefore, no exception can be taken to the petitioner's request.

On the other hand, if the petitioner's request is not accepted, her son will be detained by Kuwait Police.

4. It is stated that the application has already been submitted. The second respondent is directed to renew the petitioner's son's passport. Its validity period shall however be restricted to three years. This shall be done immediately and without delay. The third respondent is directed to communicate the passing of this order to the second respondent.

5. This writ petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

29.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

1. The Secretary to the Government of India,
Ministry of Indian Overseas Affairs,
Akbar Bhavan,
Chanakyapuri,
New Delhi – 110 021.



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G.R.SWAMINATHAN,J.

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2.The Regional Passport Authority,
Madurai Region,
Madurai.

3.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.

Copy to:

The learned Judicial Magistrate No.1,
Sivagangai.

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