



W.P(MD)No.11674 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11674 of 2024

Hari Bravin Stalin

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

2.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st Respondent to re-issue Passport to the Petitioner by considering his Passport Application in File No.MD2076500822524 dated 30.04.2024 on the file of the 1st Respondent by considering the representation given by the petitioner dated 31.05.2024.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.B.Rajesh Saravanan,
Standing Counsel for R1.
Mr.A.Albert James,
Government Advocate (Crl. Side) for R2.



W.P(MD)No.11674 of 2024

ORDER

WEB COPY

When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) for the second respondent submitted that the criminal case registered against the petitioner has been taken on file in C.C.No.179 of 2019 on the file of Judicial Magistrate, Valliyoor. In such circumstances, this Court invariably relegate the petitioner to go before the learned trial Magistrate and obtain relief. Taking into account the special facts and circumstances of the case, the following order is passed:-

(i) The petitioner is permitted to move the learned trial Magistrate seeking the relief of re-issuance of passport.

(ii) The application shall be numbered immediately and also allowed by the learned trial Magistrate within a period of one week thereafter. The learned trial Magistrate shall impose appropriate conditions on the petitioner such as execution of special vakalat etc.

(iii) Normally, when the applicant is facing prosecution, the validity of the passport will be restricted. Considering the fact that the petitioner has



W.P(MD)No.11674 of 2024

obtained overseas employment, the validity of passport shall be restricted to five years. It is open to the learned trial Magistrate to impose any other condition also.

(iv) On production of the order passed by the learned trial Magistrate, the first respondent will re-issue passport in favour of the petitioner immediately and without any delay thereafter.

2.This writ petition is allowed on these terms. No costs.

06.06.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

Issue order copy on 10.06.2024.

To:-

The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

Copy to:

The Judicial Magistrate,
Valliyoor.



WEB COPY



W.P(MD)No.11674 of 2024

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.11674 of 2024

06.06.2024