



W.P.(MD)No.15653 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 18.11.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.15653 of 2024

Harish

... Petitioner

Vs.

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

2.The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to renew the petitioner's Passport in application in File No.1066252386324, based on his representation dated 12.04.2024.

For Petitioner	: Mr.A.Naresh Prabhu
For 1 st Respondent	: Mr.B.Narayan Ram
	Central Government Standing Counsel
For 2 nd Respondent	: Mr.K.Gnanasekaran
	Government Advocate (Crl)

ORDER

The prayer in the Writ Petition reads as follows:-

"To issue a Writ of Mandamus, directing the 1st



W.P.(MD)No.15653 of 2024

Advocate appearing for the 2nd respondent and carefully perused the entire materials available on record.

5.The petitioner is given liberty to move the learned Trial Court for the relief now sought for. As and when such miscellaneous petition is filed, it shall be numbered and disposed of within a period of three weeks thereafter. The learned Trial Judge shall bear in mind that right to travel abroad is a fundamental right. The petitioner's career and avocation may be at stake if he is denied the right to go abroad. Therefore, the learned Trial Court unless there are extraordinary circumstances shall not deny relief. Of course, the period of validity of passport will have to be restricted. It is also open to the learned Trial Judge to stipulate appropriate conditions to ensure that the prosecution is not stalled on account of the petitioner's absence from India. If necessary, the applicant can be directed to file an application under Section 228 of Bharatiya Nyaya Suraksha Sanhita, 2023, by executing a special vakalat.

6.Based on the order passed by the learned Trial Court, the petitioner shall move the jurisdictional Regional Passport Officer who shall dispose of the petition~mentioned application in terms of the said order.



W.P.(MD)No.15653 of 2024

7. With the above directions, this Writ Petition stands allowed.

There shall be no order as to costs.

18.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn



WEB COPY



W.P.(MD)No.15653 of 2024

L.VICTORIA GOWRI, J.

Mrn

To

- 1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.
- 2.The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.

W.P.(MD)No.15653 of 2024

18.11.2024