



W.P(MD)No.17106 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17106 of 2024

Saravanan Veerappan

... Petitioner

Vs.

1.The Regional Passport Officer,
The Regional Passport Office,
Trichirappallai New Municipal Complex,
Thillai Nagar, 7th Cross,
Trichirappalli-620 018.

2.The Inspector of Police,
Sakkottai Police Station,
Sivagangai District,
Crime No.320 of 2017

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to reissue / renew the passport bearing No.A5786341 to the petitioner by processing his application in file No. TR2075439607323 based on the petitioner application / representation dated 06.06.2023.

For Petitioner : Mr.V.Karuna

For Respondents : Mr.M.Karthikeya Venkatachalapathy
CGSC for R1



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: Mr.A.Albert James
Government Advocate (Crl.side) for R2

ORDER

Heard both sides.

2.The petitioner seeks reissuance of passport. He has submitted an application before the jurisdictional passport officer. Apprehending that it may not be processed in view of his involvement in a criminal case, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that the criminal case registered against the petitioner has since been charge sheeted and it has been taken on file in C.C.No.1323 of 2022 on the file of the Judicial Magistrate, Karaikudi.

4.The petitioner is given liberty to move the 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



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denied the right to go abroad. Therefore, the 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 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 205 of Cr.P.C by executing a special vakalat.

5. Based on the order passed by the 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.

6. This writ petition is disposed of accordingly. No costs.

26.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

rmi

To

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Thillai Nagar, 7th Cross,
Trichirappalli-620 018.
- 2.The Inspector of Police,
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