



WEB COPY

W.P.(MD) No.25440 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.25440 of 2024

Tamilarasan

... Petitioner

-VS-

1.The Regional Passport Office
Regional Passport Office
Bharathi Ula Street
Race Course Road
Madurai-625 002

2.The Inspector of Police
Nerkuppai Police Station
Sivagangai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the first respondent to issue passport based on petitioner's application No.MD1065799938723 dated 20.09.2023 by considering petitioner's representation dated 04.07.2024.

For Petitioner : Mr.A.Arul Jenifer

For Respondents : Mr.K.Kuttalanathan
Central Government Standing Counsel for R1
Mr.Vaikkam Karunanithi
Government Advocate (Criminal Side) for R2



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ORDER

Mr.K.Kuttalanathan, learned Central Government Standing Counsel, accepts notice on behalf of the first respondent and Mr.Vaikkam Karunanithi, learned Government Advocate (Criminal Side), accepts notice on behalf of the second respondent.

2. The petitioner has filed this writ petition seeking for a mandamus to the first respondent to issue passport based on his application dated 20.09.2023.

3. Admittedly, the criminal case filed against the petitioner has been registered in Crime No.80 of 2024, for the offences under Sections 147 I.P.C., 4(x), 79(a)(2)(1) of the Protection of Civil Rights Act, 1955. Subsequently, a charge sheet was filed and the said criminal case has been registered as S.T.C.No.11 of 2019, on the file of the learned Judicial Magistrate, Singampunari, Sivagangai District.



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4. It is settled law that when the charge sheet has been taken cognizance of by a criminal court, necessarily, the petitioner will have to seek permission of the concerned criminal court for obtaining passport.

5. In view of the settled law, this writ petition is disposed of by directing the petitioner to approach the concerned criminal court, namely, Judicial Magistrate Court, Singampunari, Sivagangai District, in S.T.C.No.11 of 2019, by filing appropriate application seeking permission of the said court for obtaining passport in his favour. On receipt of the said application filed by the petitioner, the concerned criminal court shall dispose of the same in accordance with law, as expeditiously as possible.

6. With the above directions, this writ petition is disposed of. No costs.

25.10.2024

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

Note to Office:

Mark a copy of this order to the Judicial Magistrate, Singampunari, Sivagangai District.

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To:

- 1.The Regional Passport Office,
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Race Course Road,
Madurai-625 002.
- 2.The Inspector of Police,
Nerkuppai Police Station,
Sivagangai District.



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ABDUL QUDDHOSE, J.

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