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W.P.(MD) No.25495 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.25495 of 2024

Manikandan

... Petitioner

-VS-

1.The Regional Passport Officer
Regional Passport Office
Race Course Road
Madurai-625 002

2.The Inspector of Police
Kudankulam Police Station
Tirunelveli District

3.The Inspector of Police
Pazhavor Police Station
Tirunelveli 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 a new Passport instead of damaged Passport No.S0999741 issued on 10.05.2016 to the



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petitioner within a reasonable time to be fixed by this Court and consider the petitioner's representation dated 24.09.2024.

For Petitioner : Mr.Laxmi Mahendraa

For Respondents : Mr.G.Rajaraman
Central Government Standing Counsel for R1
Mr.Vaikkam Karunanithi
Government Advocate (Crl. Side) for R2 & R3

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the first respondent to issue a new passport to the petitioner instead of the passport, which has been damaged and which was issued on 10.05.2016.

2. Mr.G.Rajaraman, learned Central Government Standing Counsel, accepts notice for the first respondent and Mr.Vaikkam Karunanithi, learned Government Advocate (Criminal Side), accepts notice on behalf of the respondents 2 and 3.



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3. Admittedly, a criminal case is pending against the petitioner and charge sheet has also been filed and the concerned criminal court has taken cognizance of the said charge sheet in S.C.No.838 of 2023, on the file of the learned Additional Sessions Judge, Valliyur.

4. Learned counsel for the petitioner submits that the petitioner's Malaysian visa expires on 17.12.2024. Therefore, the concerned criminal court will have to dispose of the petitioner's application as expeditiously as possible.

5. It is settled law that when the criminal court has taken cognizance of the charge sheet and the case has been numbered on the file of the concerned criminal court, necessarily, the petitioner will have to approach the concerned criminal court seeking permission to obtain passport.

6. For the foregoing reasons, this writ petition is disposed of by directing the petitioner to approach the criminal court, namely, Additional Sessions Court, Valliyur, seeking permission of the said Court for obtaining



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passport. On receipt of the said application, the concerned criminal court shall dispose of the said application as expeditiously as possible, considering the fact that the petitioner's Malaysian visa expires on 17.12.2024. 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
Additional Sessions Judge, Valliyur

krk

To:

- 1.The Regional Passport Officer,
Regional Passport Office,
Race Course Road,
Madurai-625 002.
- 2.The Inspector of Police,
Kudankulam Police Station,
Tirunelveli District.
- 3.The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.



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ABDUL QUDDHOSE, J.

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