



W.P.No.38553 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.38553 of 2024

Sheik Fareeth Ali Sathick

... Petitioner

Vs

1. The Regional Passport Officer,
Regional Passport Office,
Chennai Royala Towers,
No.2 & 3, IV Floor, Old No.785,
New No.158, Anna Salai, Chennai 600 002.

2. The Inspector of Police,
Kattumannarkoil Police Station,
Cuddalore District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India seeking issuance of Writ of Mandamus, directing the first respondent to issue renewed passport to the petitioner and dispose the petitioner's application dated 02.09.2024 in File No.MA4076896511924.



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For Petitioner : Mr.S.Abdul Khadhar

For Respondents : Mr.T.L.Tirumalaisamy,
Senior Central Government Counsel
for the first respondent

Mr.L.Baskaran, Government Advocate (Crl.Side)
for the second respondent

ORDER

The petitioner herein seeks a direction to the first respondent to issue renewed passport by considering his application dated 02.09.2024 in File No.MA4076896511924.

2. The petitioner submitted an application for renewal of Passport on 02.09.2024. Subsequently, the first respondent issued a notice on 25.09.2024 to the petitioner calling for explanation with regard to the adverse police report. The petitioner submitted his explanation stating that only FIR is pending against the petitioner on the file of the second respondent police station. However, the first respondent has not disposed the application of the petitioner seeking renewal of passport and hence, he has come before this court.



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3. Mr.T.L.Thirumalaisamy, learned Senior Central Government Counsel takes notice for the first respondent and Mr.L.Baskaran, learned Government Advocate (Crl.Side) takes notice for the second respondent.

4. Learned Government Advocate (Crl.Side), on instruction from the second respondent would submit that a case is pending against the petitioner in Crime No.128/2023 under Sections 279 and 304(A) of IPC and in the said case, investigation was already over and charge sheet was laid before the District Munsif cum Judicial Magistrate, Kattu Mannarkoil. It is also stated by him that the charge sheet is taken on file in C.C.No.83/2023 and summons were issued to the petitioner. Now, the main case is posted on 23.01.2025 for service of summon on the petitioner.

5. In view of the above, it is clear that a case in C.C.No.83/2023 is pending against the petitioner in criminal court and hence, it is for the petitioner to file appropriate application before the concerned court seeking permission to travel foreign country. If any such application is



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filed by the petitioner, the same shall be considered and disposed of by the concerned court, on its own merits, within a period of four weeks from the date of filing of the application.

6. In case, the petitioner is permitted to travel abroad by the concerned court, the certified copy of the said order shall be produced by the petitioner before the first respondent and the first respondent shall process the application of the petitioner for renewing the passport and pass final orders, within a period of four weeks from the date of receipt of the certified copy of the order passed by the concerned court.

7. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

02.01.2025

Index:Yes/No
Internet:Yes/No
mst



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To
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