



W.P.No.39654 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.39654 of 2024

and

WMP.No.42942 of 2024

Balaji

... Petitioner

Vs.

1.The Under Secretary

The Ministry of External Affairs

No.68, College Road, E.V.K.Sampath Maaligai

7th Floor, Nungambakkam, Chennai 600 006.

2.The Joint Secretary

(Passport Seva Project and Chief Passport Officer)

Room No.8, Patiala House Annexe

Passport and Seva Project (PSP) Division

Tilak Marg, New Delhi 110 001.

3.The Regional Passport Officer

Coimbatore, First Floor, Corporation Commercial Complex

Opp.Thandumariamman Koil, Avinashi Road

Coimbatore 641 018.

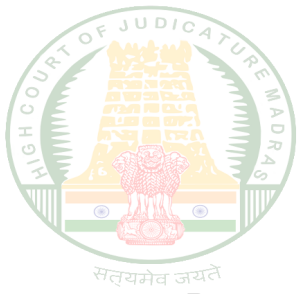
4.State by

The Inspector of Police

All Woman Police Station

Perur, Coimbatore.

...Respondents



W.P.No.39654 of 2024

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Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, directing the respondents 1 to 3 herein to call for the records of the impounding order passed in Ref.No.IMP/318423317/2024 dated 05.07.2024 by the 1 to 3 respondents pertaining to the petitioner's passport bearing No.W1350733 and quash the same and thereby enable the petitioner to carry on his travel peacefully.

For Petitioner : Ms.A.Madhumathi

For Respondents : Mr.M.Sathyan for R1 to R3
(CGSC)
Mr.V.Meganathan for R4
Government Advocate (Crl.Side)

ORDER

This Writ Petition is filed against the order dated 05.07.2024 by which the third respondent has impounded the passport of the petitioner on the ground that a criminal case pending against the petitioner in C.C.No.661 of 2024.

2. The counter affidavit filed by the third respondent also confirmed the said fact.

2/5



W.P.No.39654 of 2024

WEB COPY

3. The learned counsel for the petitioner submits that the said criminal case arises out of the matrimonial discord. Be that as it may, it is now clear from the Rules framed by the Government of India in GSR 570(E) dated 25.08.1993 that in respect of criminal cases that are pending before the Court, the person concerned has to file an application before the concerned Court for permission to travel abroad and depending on the orders of the Court the passport has to be issued or refused as the case may be.

4. In that view of the matter, it would be open for the petitioner to move an application before the Additional Mahila Court, Coimbatore, in C.C.No.661 of 2024 seeking permission and depending on the decision of the said Court, orders will be passed accordingly, granting the passport or as the case may be.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

10.02.2025



W.P.No.39654 of 2024

Neutral Citation : No
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