



WA(MD). No.1153 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 29/04/2025

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs. JUSTICE S.SRIMATHY

WA(MD). No.1153 of 2025
and CMP(MD) No.7255 of 2025

Mubarak Ali

... Appellant/Petitioner

v.

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

2.The Superintendent Enquiry Officer,
Regional Passport Office
Bharathi Ula Street,
Race Course Road
Madurai 625 002

3.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters patent against the order of this Court dated 27.01.2025 in WP(MD). No.21325 of 2024.

For Appellants : Mr.M.Saravanan for
Mr.M.Mohamed Parvesh



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For Respondents : Mr.M.Karthikeya Venkitachalapathy
for R1 & R2
Mr.A.Albert James for R3
Government Advocate

JUDGMENT

(Judgment of the Court was delivered by S.SRIMATHY,J.)

The writ appeal is directed against the order of the writ Court dated 27.01.2025 passed in WP(MD) No.21325/2024.

2.The writ petitioner is the appellant herein.

3.The writ petition was filed for issuance of passport to the petitioner/appellant. The allegations against the petitioner is that he has impersonated and has taken a fake passport for travelling abroad. Subsequently, the petitioner has disclosed the same and has sought fresh passport in his name. However, the same was rejected by the respondent passport authorities. Aggrieved by the same the writ petition was filed.

4.The writ Court has rejected the contention of the petitioner and dismissed the writ petition. Aggrieved by the said dismissal, the



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petitioner is before this Court with this writ appeal.

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5. It is settled proposition that unless a person is convicted, his liberty cannot be curtailed. In the present case, impersonation is a serious offence, for which, the appellant is facing criminal case and charge sheet has been filed and the same has been taken on file in CC No.402/2025 and the next date of hearing is 26.05.2025. As and when summon is issued, the appellant shall appear before the concerned Court. As far as passport is concerned, there is a provision under the Passport Act for issuance of temporary passport.

6. Therefore, the appellant is directed to approach the concerned Magistrate Court for the plea of issuing temporary passport and the Magistrate is directed to consider and pass orders. If temporary passport is issued and if the appellant is intended to travel, he is directed to take the permission from the concerned Magistrate Court.



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7. With the above direction, the writ appeal is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

29.04.2025

NCC : Yes/No
Index : Yes/No

RR



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J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
WA(MD) No.1153 of 2025

Date : 29/04/2025