



WEB COPY



W.P.No.8276 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.8276 of 2024

V.Padma
No.56/75, Aspiran Garden,
2nd Street, Kilpauk, Chennai-10.

... Petitioner

Vs.

The Regional Passport Officer,
Rayala Towers,
No.2 And 3, IV Floor,
New No.158, Anna Salai,
Chennai-02.

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the Respondents Regional Passport Officer to issue a Passport with a Validity of atleast TWO years to the Petitioner, at the time of her applying for reissue of her passport, thus enabling her to provide for the necessary treatment to her son.

For Petitioner : Ms.T.Renu

For Respondent : Mr.K.Ramana Moorthy ,
Central Government Senior Counsel.



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ORDER

The relief sought for in the present writ petition is to direct the Respondent Regional Passport Officer to issue a Passport with a validity of at least two years to the Petitioner, at the time of her applying for reissue of her passport, enabling her to provide for the necessary treatment to her son.

2. The petitioner submitted an application for issuing of passport to her for a longer duration but the Passport Authority issued her a passport only for a duration of 9 months. Hence the present writ petition is filed.

3. Learned Central Government Standing Counsel, for the respondent submitted that many criminal cases are pending against the petitioner which are under investigation.

3. As per Section 6(2)(f) of the Passport Act, 1967, the Passport Authority shall refuse to issue passport or travel document, under Clause (C) of Sub Section (2) “if any proceeding in respect of an offence alleged to have been committed by the applicant are pending before a Criminal Court in India”.

4. In the present case, a criminal case, registered against the writ



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petitioner, is pending. Therefore, the Passport Officer is empowered to reject the petitioner's application. However, the petitioner is at liberty to approach the jurisdictional Criminal Court for the purpose of considering his claim in the manner known to law.

5. Accordingly, the writ petition stands dismissed. No costs.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

29.04.2024

To

The Regional Passport Officer,
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S.M.SUBRAMANIAM. J.,

(sha)

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