



W.P.No.29207 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.29207 of 2023

C.Stalin

... Petitioner

Vs.

The Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillainagar, 7th Cross,
Tiruchirapalli, 620018.

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondent to consider the representation dated 19.12.2022 for renewal of passport application in reference No.22-1010839339 dated 30.09.2022.

For Petitioner : Mr.N.Raja Vannian

For Respondent : Mr.S.Janarthanan



W.P.No.29207 of 2023

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ORDER

The relief sought for in the present writ petition is to direct the respondent to consider the representation dated 19.12.2022 for renewal of passport application in reference No.22-1010839339 dated 30.09.2022.

2. The petitioner submitted an application for renewal of passport before the respondent. The said application was not considered in view of the fact that a criminal case was registered against the writ petitioner in CC No.17 of 2018, on the file of the Judicial Magistrate No.II, Chidambaram.

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 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



W.P.No.29207 of 2023

his claim in the manner known to law.

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5. Accordingly, the writ petition stands disposed of. No costs.

(sha)

18.04.2024

Index : Yes

Speaking Order

Neutral Citation : Yes

To

The Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillainagar, 7th Cross,
Tiruchirapalli, 620018.



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W.P.No.29207 of 2023

S.M.SUBRAMANIAM. J.,

(sha)

W.P.No.29207 of 2023

18.04.2024