



W.P(MD)No.11666 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11666 of 2024

M.Saravanan

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road,
Tiruchirappalli – 620 008.

2.The Inspector of Police,
Karur Town Police Station,
Karur.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to reissue/renew the Passport bearing No.L9456180 to the petitioner by processing his application in (*)**TR 6076514812924** based on the explanation/representation dated 20.05.2024 within a time limit stipulated by this Court.

For Petitioner : Mr.L.Prabakaran



W.P(MD)No.11666 of 2024

WEB COPY

For Respondents : Mr.J.Alaguram Jothi
Central Government Standing Counsel
for R.1

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.2

ORDER

Heard both sides.

2.The petitioner seeks renewal of passport. He has submitted an application before the jurisdictional passport officer. Apprehending that it may not be processed in view of his involvement in a criminal case, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) submitted that the criminal case registered against the petitioner is pending at the FIR stage.

4.It is well settled that when the case is pending only at the FIR stage, there is

no impediment for the Regional Passport Officer to grant relief.

<https://www.mhc.trf.gov.in/judis>



W.P(MD)No.11666 of 2024

WEB COPY

5.The petitioner has to appear before the jurisdictional police and file an affidavit indicating his contact details. The petitioner apart from furnishing his residential address must also give his WhatsApp mobile number, e-mail ID. This is because, if any adverse final report is filed and the same is also taken on file by the jurisdictional criminal court, it should be possible to serve summons on the petitioner with the available details. The petitioner shall give an undertaking that the prosecution initiated against him will not be stalled on account of his absence from India. He should undertake that summons can be served on him through E-mail/WhatsApp. If necessary, the petitioner will have to execute a special vakalat in future so that he can be represented by his counsel in the proceedings in terms of Section 205 of Cr.P.C.

6.Upon the passport authority being satisfied that such an undertaking affidavit has been filed before the jurisdictional police, the jurisdictional Regional Passport Officer shall process the petition-mentioned application and issue passport subject to fulfilment of the other usual formalities.



W.P(MD)No.11666 of 2024

WEB COPY

7.This writ petition is allowed on these terms. There shall be no order as to costs.

Sd/-

Assistant Registrar (P&A)

(*)Corrected as per order of this Court dated 10/07/2024 made in WMP(MD)No. 13472 of 2024 in WP(MD)No.11666 of 2024

Sd/-

Assistant Registrar (AS)

// True Copy //

18/07/2024

Sub Assistant Registrar(CS)

MGA

To

(*)To be substituted the order already despatched on 28/06/2024

1.The Regional Passport Officer,
Regional Passport Office,
Municipal Water Tank Building,
W.B.Road,
Tiruchirappalli – 620 008.

2.The Inspector of Police,
Karur Town Police Station,
Karur.

<https://www.mhc.tn.gov.in/judis>



W.P(MD)No.11666 of 2024

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.L.PRABAKARAN, Advocate (SR-27473[F] dated 13/06/2024)

+1 CC to M/s.J.ALAGURAM JOTHI, Advocate (SR-27819[F] dated 14/06/2024)

W.P(MD)No.11666 of 2024

12.06.2024

RD (14/06/2024) 5P / 6C

MGJ (14/06/2024) 5P / 6C

RD (18/07/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.