



WEB COPY



W.P.No.1860 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 29.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.1860 of 2025

C.Mohamed Nizar

... Petitioner

Vs.

1. The Regional Passport Office, Rayala Towers,
No.2 and 3, IV Floor, Old No.785, 158,
Anna Salai, Triplicane, Chennai 600 002.

2. State, rep. by Inspector of Police,
Sedarpur Police Station, Puducherry District,
Crime No.49/2016

... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus directing the respondent to renew/reissue the petitioner passport bearing passport Number H5594121 pursuant to the petitioner application ARN:24-1004600551, dated 08.04.2024 pending in respondent file No.MASQ00048709, by considering the petitioner representation dated 09.10.2024.

For Petitioner : Ms. G.Bhavana



W.P.No.1860 of 2025

WEB COPY

for Mr.R.Prabhakaran

For Respondents : Ms.A.Anuradha, C.G.S.C

for first respondent

Mr.V.Vasanthakumar, AGP (Puducherry)

for second respondent

ORDER

The petitioner herein seeks a direction to the first respondent to renew his passport bearing passport Number H5594121, pursuant to the petitioner application ARN:24-1004600551, dated 08.04.2024 by considering his representation dated 09.10.2024.

2. It is the case of the petitioner that he is a holder of passport with passport No.H5594121 and he applied for renewal of passport in application ARN:24-100460055, dated 08.04.2024 and the same has not been considered by the first respondent, mainly on the ground that a criminal case is pending against the petitioner. Therefore, the petitioner has come before this court seeking direction to the first respondent to process his application.

3. Ms.A.Anuradha, learned Central Government Standing



W.P.No.1860 of 2025

Counsel takes notice for the first respondent and Mr.V.Vasanthakumar, learned Additional Government Pleader (Puducherry) takes notice for the second respondent.

4. The learned Additional Government Pleader appearing for the second respondent filed a status report, wherein, it is stated that a criminal case is pending against the petitioner in C.C.No.92 of 2018 on the file of the Judicial Magistrate-IV, Puducherry. It is further stated that the matter is posted for questioning under Section 313 Cr.P.C. on 29.01.2025.

5. In view of the fact that a criminal case is pending against the petitioner before a criminal court, the petitioner is at liberty to file an appropriate application before the concerned court, seeking leave of the court to visit foreign country. If any such application is filed by the petitioner, the same shall be considered by the concerned Court and final orders shall be passed, within a period of four weeks from the date of receipt of application.

6. If permission is granted to the petitioner to visit foreign



W.P.No.1860 of 2025

WEB COPY

country by the concerned court, it is open to the petitioner to produce the certified copy of the order before the first respondent and the first respondent, based on the said order, shall consider the application filed by the petitioner for renewal of passport and pass final orders on its own merits, within a period of four weeks from the date of submission of the order.

7. With the above direction, this writ petition is disposed of .

There shall be no order as to costs.

29.01.2025

Index:Yes/No

Internet:Yes/No

mst

To

1. The Regional Passport Office, Rayala Towers,
No.2 and 3, IV Floor, Old No.785, 158,
Anna Salai, Triplicane, Chennai 600 002.
2. State, rep. by Inspector of Police,
Sedarpet Police Station, Puducherry District,



WEB COPY



W.P.No.1860 of 2025

S.SOUNTHAR, J.

mst

W.P.No.1860 of 2025

29.01.2025