



W.P.No.3196 of 2025
and W.M.P.No.3538 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3196 of 2025
and W.M.P.No.3538 of 2025

Vaheeda Banu Pitchai Mohamed

Vs.

.. Petitioner

1.The State of Tamil Nadu
Rep.by its Secretary to Government
Home Department
Fort St.George
Chennai – 600 009.

2.The Inspector of Police
DCB Police, Trichy.

3.The Regional Passport Officer
Thiruchirappalli, Municipal Water Tank Building
W.B.Road
Thiruchirappalli 628 008.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the 3rd respondent in Letter Ref.No.OBJ/319833297/24 dated



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25.10.2024 quash the same and consequently direct the 3rd respondent to issue passport to the petitioner in accordance with law.

For the Petitioner : Ms.T.Dharani

For the Respondents : Mr.K.Suresh
Government Advocate for R1
Dr.C.E.Pratap
Government Advocate for R2
Mr.Prasad Vijayakumar
for R3

ORDER

The Writ Petition is filed for a Certiorarified Mandamus, challenging the order dated 25.10.2024 to quash the same and consequently, issue passport to the petitioner.

2. On a perusal of the impugned order, it only states that adverse police report has been received against the petitioner and therefore, the petitioner was required to come over to the 3rd respondent - office and explain about the adverse report.

3. As a matter of fact, it is seen that only a FIR in Crime No.1 of 2019 for



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the alleged offences under Sections 34, 419, 420, 465, 467, 468, 471 and 506 (1) of IPC was pending against the petitioner.

4. In this regard, it can be seen that an office memorandum dated 10.10.2019 of the Government of India, bearing reference No.VI/401/1/5/2019 has been produced by the learned counsel for the petitioner, wherein in clause 5 (vi) of the office memorandum it has been stated that mere filing of the FIR's and the cases under investigation do not come within the purview of Section 6 (2) (f) of the Passport Act and that the criminal proceedings would only be considered pending against the applicant, if a case has been pending before any Court of law and the Court has taken cognisance of the same. Therefore, at the first place, the authorities need not even called upon the petitioner.

5. In any event when the matter came up for hearing, today, the learned Government Advocate appearing for the 2nd respondent submits that after investigation the petitioner's name has been excluded from the said case.

6. In view thereof, this Writ Petition is disposed of on the following



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terms:-

(i) Along with a representation, the petitioner shall produce the copy of this order before the 3rd respondent;

(ii) Upon receipt of the same, if the file No.TR2077047357324 is already closed, the 3rd respondent shall reopen the file and redo the exercise accordingly and if the file is pending, further orders can be passed in accordance with law;

(iii) No costs. Consequently, the connected miscellaneous petition is closed.

06.02.2025

Neutral Citation : No

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To
1.The Secretary to Government

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D.BHARATHA CHAKRAVARTHY, J.

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