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W.P.No.4721 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4721 of 2025
and W.M.P.No.5242 of 2025

Suresh

.. Petitioner

Versus

The Regional Passport Office,
"Royal Tower",
Nos.2 & 3, 4th Floor,
Old No.785, New No.158,
Anna Salai,
Chennai - 600 002.

.. Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to the impugned order passed by the respondent vide his Letter Ref.No.CNO/320159249/24, dated 03.12.2024 and quash the same and consequently direct the respondent to re-issue passport vide his file No.MA5077049719924, dated 22.10.2024.



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For Petitioner : Mr.K.Kannadasan

For Respondents : Mr.R.Sidharth,
Central Government Counsel



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ORDER

This Writ Petition is filed challenging the order, dated 03.12.2024 passed by the respondents.

2. The grievance of the petitioner is that the petitioner applied for renewal of the passport. When the application was dealt with, the respondent had received an adverse Police Report, on account of which, the passport was not renewed. Under the said circumstances, by way of an earlier round, when the petitioner approached this Court in W.P.No.30019 of 2023, by the order, dated 17.11.2023, the Writ Petition was disposed of with the following directions:-

"18. Taking a cue from the aforesaid decisions, the following order is issued:

(i) The respondent shall issue a notice afresh to the petitioner forthwith to enable him to appear before the authority with necessary materials in support of his application.

(ii) Let the application of the petitioner be disposed in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of eight (8) weeks from date of receipt of a copy of this order.



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(iii) It is made clear that while the authority may insist upon all necessary undertakings from the petitioner, there shall be no insistence of approval or sanction to be obtained from the Magistrate at this stage.

19. This Writ Petition stands disposed in the aforesaid terms. No costs. Connected Miscellaneous Petition is closed."

3. Thereafter, the present communication is issued. It can be seen that the present communication is also issued on the basis of the said Criminal Case that is pending in Spl.S.C.No.92 of 2020. Be that as it may, in the normal course, the petitioner would have been directed to take permission from the concerned Court as the charge sheet is already filed. But, that question is dealt with in the earlier order and by way of a judgment inter-parties, this Court held that such a permission is not necessary.

4. In view thereof, this Writ Petition is disposed of. The respondent authorities are directed to process the application in accordance with law and renew the passport if there is no other impediment. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.



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Neutral Citation : no
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To

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D.BHARATHA CHAKRAVARTHY, J.

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