



W.P.No.9702 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.9702 of 2025

DHANALAKSHMI

... Petitioner

Vs

1. THE EMBASSY/CONSULATE GENERAL OF INDIA,
AI, HAMRIYA, DIPLOMATIC ENCLAVE,
PO.BOX.N.737, DUBAI (UAE).

2. INSPECTOR OF POLICE,
THITTAGUDI POLICE STATION,
CUDDALORE DISTRICT.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to re-issue passport to the petitioner's husband Thangadurai S/o.Thangavel, by considering the representation of the petitioner dated 14.02.2025 and 20.02.2025 in accordance with law.

For Petitioner : Mr.M.Velmurugan

For R1 : Mr.R.Siddharth
Central Government Counsel

For R2 : Dr.C.E.Pratap
Government Advocate (Crl.Side)



W.P.No.9702 of 2025

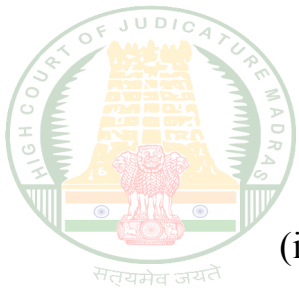
ORDER

WEB COPY The petitioner's husband is currently working in Dubai. His passport expired on 16.06.2024. However, due to a case in Crime No. 142 of 2021 on the file of the second respondent, the renewal was not granted in time and now he is stranded in Dubai.

2. Considering the fact that only an First Information Report is pending and the petitioner has overstayed after the expiry of his passport and since it has already been decided by the Hon'ble Division Bench judgment of this Court in *Arumugam vs. Regional Passport Officer (W.A.(MD) No. 301 of 2018)* and the rules framed by the Government of India, which state that First Information Reports cannot be treated as criminal cases under the Passport Act.

3. In view thereof, this writ petition is disposed of on the following terms:-

(i) The petitioner's husband shall apply for a one-time emergency exit through the concerned embassy in Dubai.



W.P.No.9702 of 2025

(ii) The authorities shall permit the petitioner to return to India. Upon his return, along with a copy of this order, he can apply for the renewal/reissue of his passport.

(iii) The authorities shall consider the application and issue the passport, de hors the pendency of the said case in Crime No. 142 of 2021.

(iv) The application shall be processed expeditiously, in any event, not later than twelve weeks from the date of receipt of the application. No costs.

21.03.2025

Neutral Citation: Yes/No
nsl

To

1. THE EMBASSY/CONSULATE GENERAL OF INDIA,
AI, HAMRIYA, DIPLOMATIC ENCLAVE,
PO.BOX.N.737, DUBAI (UAE).
2. INSPECTOR OF POLICE,
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W.P.No.9702 of 2025

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ns1

W.P.No.9702 of 2025

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