



W.P.No.8109 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.8109 of 2025

Mohammed Rafi

.. Petitioner

Versus

1. The Regional Passport Officer,
Regional Passport Office,
Royala towers, No.2 & 3, 4th floor,
Old no.785, new no.158,
Anna Salai,
Chennai - 600 002.

2. The State represented by
The Inspector of Police (Law and Order),
R-9, Valasaravakkam Police Station,
Chennai - 600 087,
Chennai district.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus directing the 1st respondent to renew the petitioner's passport applied under file No.MA1077363093125, dated 03.02.2025 within the stipulated duration.



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For Petitioner : Mr.S.R.Shenbaga Baabu

For Respondents : Mr.R.Sidharth,
Central Government Counsel for R1

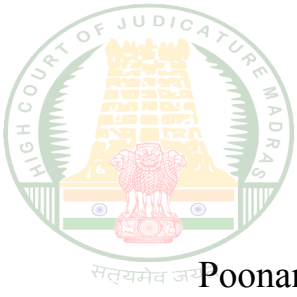
: Dr.C.E.Prathap,
Government Advocate (Crl. Side),
for R2

ORDER

This Writ Petition is filed for a mandamus directing the first respondent to renew the petitioner's passport applied under file No.MA1077363093125, dated 03.02.2025.

2. After hearing the learned Counsel on either side and perusing the material records, it is clear that since an adverse Police report is received against the petitioner, the passport is not ready.

3. The learned Government Advocate for the second respondent would submit that the case is now pending against the petitioner in C.C.No.24 of 2025 on the file of the learned Judicial Magistrate No.I,



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Poonamallee. Even then, it is now decided by the Division Bench of this Court in *The Regional Passport Officer, Chennai Vs. Samsudeen Mohamed Salih and Anr.* in W.A.No.902 of 2023, dated 02.06.2023 that the Criminal Case cannot also be a ground for non-renewal of the passport and the petitioner has only to take permission before leaving abroad.

4. In view thereof, this Writ Petition is disposed of on the following terms:-

(i) The first respondent shall consider the petitioner's application under file No.MA1077363093125, dated 03.02.2025 and renew the passport de hors the pendency of the above Criminal Case, if the petitioner is eligible for renewal otherwise;

(ii) It is made clear that the petitioner shall not leave India without getting permission from the learned Judicial Magistrate No.I, Poonamallee in the pending C.C.No.24 of 2025;

(iii) In case of the petitioner, if there is any other special condition



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also, the petitioner shall comply with the same;

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(iv) There shall be no order as to costs.

07.03.2025

Neutral Citation : yes/no

grs

To

1. The Regional Passport Officer,
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Royala towers, No.2 & 3, 4th floor,
Old no.785, new No.158,
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Chennai - 600 002.
2. The Inspector of Police (Law and Order),
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D.BHARATHA CHAKRAVARTHY, J.

grs

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