



W.P.No.10097 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:25.03.2025

Coram:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.10097 of 2025

P.Mugunthan,
S/o Pilavendran,
South Street,
Pitchanur (Post),
Udayarpalayam(Taluk),
Ariyalur (District) Pin 612 901.

.. Petitioner

/versus/

1.The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillai Nagar, 7th Cross,
Tiruchirapalli 620 018.

2.The Inspector of Police,
Jayankondam Police Station,
Jayankondam 621 802,
Ariyalur District.

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the first respondent to issue a passport in favour of the petitioner within a stipulated time by considering the petitioner's representation dated 11.01.2025.



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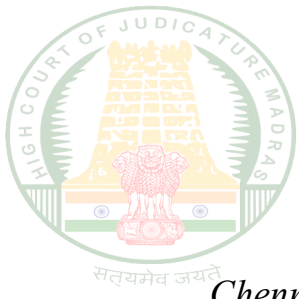
For Petitioner :Mr.S.Kannan
For Respondents :Mr.K.B.Arul, CGL for R1
Dr.C.E.Pratap, GA(crl.side)for R2

ORDER

The petitioner made an application for issue of passport. Upon receipt of the adverse police report, the same is not issued.

2. When the matter came up for hearing, the learned Government Advocate (Crl.Side) appearing for the 2nd respondent submitted that a First Information Report in Crime No. 5 of 2023 was pending against the petitioner. Now, the investigation is completed and the charge sheet is also filed and final report has also been filed before the learned Judicial Magistrate, Jayankondam.

3. In view thereof, even if there is a criminal case, that is pending against the petitioner, by virtue of the Division Bench judgment of this Court in *Regional Passport Officer, Shastri Bhavan, Haddows Road,*



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Chennai-06 v. Shamsudeen Mohammed Salih (W.A.No.902 of 2023, dated 02.06.2023) the passport itself need not be withheld and the petitioner has to take permission from the concerned Court before leaving Abroad. In view thereof, this Writ Petition is allowed on the following terms:

(i) The petitioner's application shall be considered by the first respondent de hors the pendency of the criminal case and the passport shall be issued to the petitioner, if there is no other impediment.

(ii) The above said exercise shall be completed within a period of 8 weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order.

(iii) It is needless to mention that if the final report is taken on file and the case is numbered, the petitioner shall take permission from the concerned Court before leaving Abroad. No costs.

25.03.2025

Neutral citation: no
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To

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D.BHARATHA CHAKRAVARTHY,J.

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