



W.P.No.13181 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 15.04.2025

Coram:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.13181 of 2025

P.Chandru.
S/o. Ponmani,
No.21 A, Muthumariamman Koil Street,
Tidel Park to Thanneer Pandhal Road,
Peelamedu, Coimbatore- 641 004.

... Petitioner

/versus/

1. The Passport Officer,
Regional Passport Office, 1st Floor,
Corporation Commercial Complex,
Avinashi Road,
Coimbatore- 641 018.

2. The Sub Inspector of Police,
Rathinapuri Police Station,
Coimbatore City,
Coimbatore- 641 027.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to consider the Passport Application of the petitioner submitted on 09.08.2024 in Application Reference No.CB1066831282524 to the 1st respondent and issue a passport to the petitioner in accordance with law.



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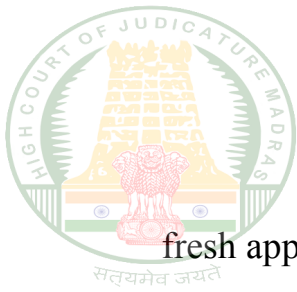
For Petitioner : Mr.L.Sarath Pandian
For Respondents : Mr.SVD.Rajendra Prasad
(CGSC), for R1
: Dr.C.E.Pratap,
Government Advocate (Crl.Side), for R2

ORDER

The writ petition is filed to issue a writ of mandamus directing the respondents to consider the application of the petitioner dated 09.08.2024 bearing reference No.CB1066831282524.

2. Upon hearing the Learned Counsel for the petitioner, the grievance of the petitioner is that when the respondents received adverse police report that a criminal case is pending against the petitioner, the petitioner's file has been closed without issuing passport to the petitioner.

3. Per contra, the Learned Counsel appearing on behalf the first respondent would submit that apart from the reason of receiving the adverse police report, the matter was posted for the appearance of the petitioner and the petitioner did not appear before the first respondent and therefore, the application was closed. He would submit that any direction can be given only with reference to a



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fresh application that can be made by the petitioner.

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4. Dr.C.E.Pratap, the Learned Government Advocate (Crl.Side) for the second respondent would submit that a case is pending against the petitioner in C.C.No.869 of 2023 on the file of the Judicial Magistrate No.2, Coimbatore. Now, the matter has been settled by this Division Bench of this Court in ***The Regional Passport Officer vs. Samsudeen Mohamed Salih (W.A.No.902 of 2023)*** that merely for the pendency of the criminal case, the issuance of the passport itself need not be withheld. However, the petitioner concerned will take the permission of the Court before leaving abroad.

5. In view thereof, the prayer of the petitioner can be considered, *dehors* the pendency of the criminal case. However, for procedural requirements, the petitioner can make a fresh application and the same will be considered by the respondents in a time bound manner and the passport shall be issued to the petitioner, if he is otherwise eligible, *dehors* the pendency of the said C.C.No.869 of 2023.



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6. In view thereof, this writ petition is disposed on the following

terms:

(i). The petitioner shall make a fresh application for issue of passport by duly disclosing the present number and also the order of this Court.

(ii) The said application shall be considered by the first respondent as expeditiously as possible and passport shall be issued to the petitioner, *dehors* the pendency of C.C.No.869 of 2023, if the petitioner is otherwise eligible.

(iii) The petitioner shall make an application within a period of two weeks from the date of receipt of the web copy of the order, without waiting for the certified copy of the order and the application shall be considered in accordance with law and dispose of within eight weeks thereafter by the first respondent.

There shall be no order as to costs.

15.04.2025

Neutral citation:No.
bsm



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To,

1. The Passport Officer,
Regional Passport Office, 1st Floor,
Corporation Commercial Complex,
Avinashi Road,
Coimbatore- 641 018.
2. The Sub Inspector of Police, Rathinapuri Police Station,
Coimbatore City, Coimbatore- 641 027.
3. The Government Pleader, High Court, Madras.
4. The Public Prosecutor, High Court, Madras.



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D.BHARATHA CHAKRAVARTHY,J.

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