



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 12799 of 2024

Shahul Hameed
S/o. Sheik Madar,
Residing At No. 36
Krupa Apartments, Ko Su Mani
Street, Choolaimedu, Chennai 94.

Petitioner(s)

Vs

1. Regional Passport Office,
Rayala Towers, No. 2 and 3, IV
Floor, Old No. 785 , 158 , Anna
Salai, Triplicane, Chennai 600
002.

2.State Rep. by its,
Deputy Superintendent of Police ,
Q - Branch CID, Chennai.
(Cr.No. 1/2019)

Respondent(s)

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to change the address in the petitioner's passport bearing No. M7666564 pursuant to the application vide File Number MA1076370739724 dated 18.03.2024 without reference to the said criminal case.

For petitioner	Mr.J.Abdul Hadi
For	Mr.R.Subramanian, CGSC
Respondent(s):	For R1
	Mr.S.Vinoth Kumar
	Govt. Advocate (Crl.Sdie) For
	R2



ORDER

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This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to permit the petitioner to change the address in the passport belonging to the petitioner pursuant to the application submitted on 18.03.2024 without reference to the pending criminal cases.

2. The 2nd respondent has filed a counter affidavit. A stand has been taken to the effect that an FIR came to be registered in Crime No.1 of 2019 by the 'Q' Branch CID for various offence under IPC read with the provisions of the Passport Act, 1967. In this case, the petitioner was arrayed as A17, since it is alleged that he had hatched the conspiracy with the other accused persons. Ultimately, on completion of investigation, the police report was filed before the II Metropolitan Magistrate Court, Egmore, and the same was taken on file in CC No.9007 of 2022. Some of the accused person absconded and therefore, the case was split up. The split up case was numbered in CC No.13168 of 2022. In the main case, the accused persons pleaded guilty and punishment was imposed. Whereas, the split up case is pending and in this split up case, the petitioner is one of the



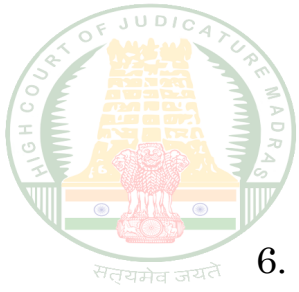
accused, who is facing trial.

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3. The 1st respondent has also filed a counter affidavit. In the counter affidavit, apart from mentioning the pending criminal cases against the petitioner, the 1st respondent has also taken a stand that the petitioner did not furnish the correct particulars and as a result, the application submitted by the petitioner was not acted upon.

4. Heard Mr.J.Abdul Hadi, learned counsel for the petitioner and Mr.R.Subramanian, learned Central Government Standing Counsel for 1st respondent and Mr.S.Vinoth Kumar , learned Government Advocate (Crl.Side) for 2nd respondent.

5. The petitioner is only seeking for a change of address in the passport that stands in the name of the petitioner. The learned counsel for the petitioner submitted that the petitioner will resubmit the application by giving the correct particulars along with the necessary documents to prove the residential address of the petitioner. On receipt of the same, the 1st respondent must be directed to process the application without reference to the criminal case.



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6. In the considered view of this Court, the petitioner is only seeking for change of address and if the petitioner is able to submit a fresh application by providing the correct address with all the relevant documents, the same shall be acted upon by the 1st respondent. The change of address can be effected provided that, the petitioner satisfies the requirements. This process shall be completed by the 1st respondent within a period of four weeks from the date of receipt of the fresh application from the petitioner. It goes without saying that if the petitioner wants to go outside India, he has to necessarily seek for the permission from the concerned Court where the criminal case is pending.

7. This writ petition is disposed of with the above directions.

No costs.

24-07-2025

rka
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



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IV Floor, Old No. 785 , 158,
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