



W.P.No.17984 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2025

CORAM

THE HON'BLE Mr. JUSTICE N.ANAND VENKATESH

W.P.No.17984 of 2025

R.Balaji
S/o.Rajamani

Petitioner

Vs

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

2.The Inspector of Police,
District Crime Branch,
Krishnagiri District.

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus to extend the time granted to the petitioner to approach the criminal court for seeking permission to visit foreign country towards the order of this Court in the earlier writ petition No.33032 of 2024 dated 02.12.2024 in accordance to obtain the passport from the first respondent.

For Petitioner	:	Mr.S.Thiru Saravanan
For Respondents	:	Mr.K.Subbu Ranga Bharathi [R1] Mr.Leonard Arul Joseph Selvam Government Advocate [Crl.side] [R2]



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ORDER

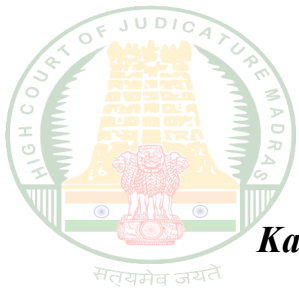
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This writ petition has been filed seeking for extension of time to comply with the earlier order passed by this Court in W.P. No. 33032 of 2024 dated 02.12.2024.

2. Heard Mr.S.Thiru Saravanan, learned counsel for the petitioner, Mr.K.Subbu Ranga Bharathi, learned counsel for the first respondent and Mr.Leonard Arul Joseph Selvam, learned Government Advocate(Criminal Side) for the second respondent and perused the materials placed on record, apart from the pleadings of the parties.

3. The petitioner had applied for passport and since a criminal case was pending against the petitioner in C.C. No. 77 of 2020 on the file of the Judicial Magistrate No.II Court, Krishnagiri, the Passport Authority cannot issue the passport. Under such circumstances, the petitioner has filed the earlier writ petition and sought for a direction to the first respondent to issue passport. That writ petition was disposed by an order dated 02.12.2024 and the relevant portion is extracted hereunder:-

“10. In view of the law laid down by Apex Court in Vangala



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Kasturi Rangacharyulu case, the case of the petitioner is covered by Section 6(2)(f) of passport act as Criminal trial is pending against him. Therefore, the petitioner is directed to file an application before the criminal court in which the criminal case is pending against him and seek permission to visit foreign country within a period of two weeks from the date of receipt of copy of this order. If any such application is filed by the petitioner, the criminal Court shall consider the same and pass final orders on its own merits, within a period of four weeks. In case, the petitioner is permitted to visit foreign country by the court concerned the certified copy of the said order can be produced by the petitioner before the first respondent. On receipt of certified copy of the order, the first respondent shall process the application for issue of passport and pass final orders, on its own merits, within a period of four weeks from the date of submission of certified copy of the order.”

It is clear from the above order that the first respondent was directed to process the application for issuance of passport and to pass final orders. The petitioner did not properly pursue with the first respondent and as a result, the application is pending before the first respondent. Under such circumstances, the petitioner has sought for extension of time.

4. The petitioner is directed to file an application before the Judicial



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Magistrate No.II, Krishnagiri and necessary orders shall be passed within a period of four weeks. If the Court grants the permission, the said order shall be furnished before the first respondent and the first respondent shall process the application and issue passport within a period of four weeks thereafter.

5. Accordingly, this writ petition is disposed. No costs.

06.06.2025

Index: Yes/No

Internet: Yes/No

Speaking /Non-speaking order

Neutral Case Citation : Yes/No

Maya

To

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