



W.P.No.14632 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.14632 of 2025

Mr.Senthil Kumar Bala Krishnan,
S/o.Bala Krishnan,
No.9, Thiruvika Street,
MGR Nagar,
Kalaingar Karunanidhi Nagar,
Chennai - 600 078.

... Petitioner

/versus/

1. The Regional Passport Officer,
Chennai Royal Towers,
No.293, IV Floor, Old No.785,
New No.158, Anna Salai,
Chennai- 600 002.

2. The Inspector of Police,
R-5 Police Station,
Virugambakkam,
Chennai - 600 093.

... Respondents

Prayer: 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 petitioner representation dated 25.03.2025 and renewal the passport *vide* petitioner Application No.MA1074090285522, dated 01.09.2022.

For Petitioner : Mr.P.G.Kugan
For Respondents : Mr.N.Manikandan, CGC, for R1
: Dr.C.E.Pratap,
Government Advocate, for R2



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ORDER

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The writ petition is filed for a mandamus directing the 1st respondent to consider the petitioner's representation dated 25.03.2025 in respect of renewal of passport *vide* the application No.MA1074090285522, dated 01.09.2022.

2. After hearing the Learned Counsel for the petitioner and the Learned Counsel appearing on behalf of the respondents, it can be seen that there is an adverse police report received against the petitioner. There is a criminal case pending against the petitioner in C.C.No.2798 of 2017 for alleged offences under Section 147, 148, 294(b), 336, 427 of I.P.C on the file of the XXIII, Metropolitan Magistrate, Saidapet, Chennai, in which the petitioner was arrayed as A3. In view thereof, when the petitioner suppressed the said information, the application was rightly rejected. However, the Division Bench of this Court in ***The Regional Passport Officer vs. Samsudeen Mohamed Salih¹***, has held that pendency of the criminal case need not be a bar for renewal of the passport. But however, the petitioner has to take the permission of the concerned Court before leaving abroad.

1. 2023 SCC OnLine Mad 3634



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

terms:

(i) The petitioner can make a fresh application duly disclosing the said criminal case in the appropriate column and also by disclosing the rejection of the Application No.MA1074090285522.

(ii) The petitioner shall not be disqualified for the said purpose and if the petitioner is eligible, *dehors* the pendency of the said criminal case, the renewal of the passport shall be considered based on the fresh application and passport shall be issued to the petitioner.

(iii). The said exercise shall be completed within a period of 12 weeks from the date of receipt of the fresh application made the petitioner.

(iv) The petitioner shall appear before the concerned Court on the next hearing in respect of the above said criminal case. Before leaving abroad, the petitioner can also make an application and get the permission from the concern Court and then only leave abroad.



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There shall be no order as to costs.

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Neutral citation :No.
bsm

To,

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Chennai Royal Towers,
No.293, IV Floor, old No.785,
NewNo.158, Anna Salai,
Chennai- 600 002.

2. The Inspector of Police,
R5 Police Station,
Virugambakkam,
Chennai - 600 093.

3. The Government Pleader, High Court, Madras.

4. The Public Prosecutor, High Court, Madras.



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D.BHARATHA CHAKRAVARTHY, J.

bsm

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