



W.P.No.14582 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.04.2025

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.14582 of 2025

T.P.Ganesh,
S/o Late Paramasivam,
No.11-1-17A, West Car Street,
Tharamangalam,
Omalur Taluk,
Salem District 636 455.

.. Petitioner

/versus/

1.The Regional Passport Officer,
Regional Passport Office,
Corporation Commercial Complex,
First Floor, Opp. Thandumariamman Koil,
Avinashi Road,
Coimbatore 641 018.

2.The Inspector of Police,
Azhangapuram (Fairlands)Police Station,
Salem, Salem District.

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Manadmus directing the 1st respondent to process the application of the petitioner and to reissue the passport under file No.CB2077225925924 dated 19.12.2024 (Letter Ref.No.SCN/320436411/25) to the petitioner at an earliest.



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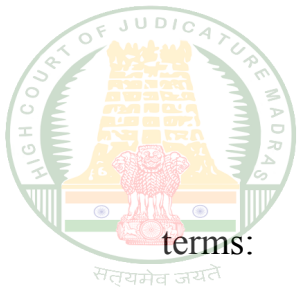
For Petitioner : Mr.V.Elangovan
For Respondents : Mr.J.Madanagopal Rao, SPC for R1
Dr.C.E.Pratap, GA(Crl.Side) for R2

ORDER

The prayer in the writ petition is to direct the respondents to process the application of the petitioner and to reissue the passport under File No.CB2077225925924, dated 19.12.2024.

2.Upon hearing the learned counsel appearing for the parties, it can be seen that upon receipt of the adverse police report, the petitioner's passport is not reissued. It is seen that there is a case against the petitioner which is now pending committal in P.R.C.No.16 of 2015 on the file of the Judicial Magistrate No.5, Salem. It is now settled by the Hon'ble Division Bench of this Court in *the Regional Passport Officer, Shastri Bhavan, Haddows Road, Chennai 600 006 v. Samsudeen Mohamed Salih and another, in W.A.No.902 of 2023, dated 02.06.2023*, whereby it has been held that the pendency of the criminal case need not be a bar for the reissue of passport, but the person concerned shall take permission before leaving for Abroad.

3. In view thereof, this Writ Petition is disposed of on the following



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terms:

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(i)The first respondent shall consider the application of the petitioner under File No.CB2077225925924, dated 19.12.2024, dehors the pendency of the criminal case and reissue the passport to the petitioner, if he is otherwise entitled to.

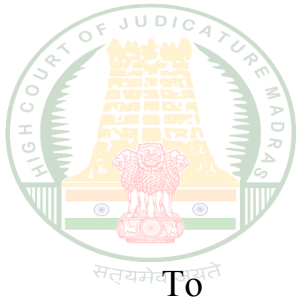
(ii)The said exercise shall be completed within a period of 8 weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order.

(iii)The petitioner shall take permission of the Judicial Magistrate No.5, Salem, in P.R.C.No.16 of 2015, if the committal proceedings are pending before leaving abroad. If the case is committed, then the petitioner shall take permission of the concerned Court before which the case is pending.

(iv)Apart from the case, it can be seen that P.R.C.No.16 of 2015 is pending for 15 years, a copy of this order shall also be marked to the concerned Judicial Magistrate No.5, Salem, and the Court shall take expeditious steps to commit the case. No costs.

23.04.2025

Neutral citation:no
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To
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Coimbatore 641 018.
- 2.The Inspector of Police,
Azhagapuram (Fairlands)Police Station,
Salem, Salem District.
- 3.The Judicial Magistrate No.5, Salem.
- 4.The Government Advocate, High Court,Madras.



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D.BHARATHA CHAKRAVARTHY, J.

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