



W.P.No.14894 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.14894 of 2025

ELANGO VAN

... Petitioner

Vs

1. THE GOVERNMENT OF INDIA,
MINISTRY OF EXTERNAL AFFAIRS,
REP. BY THE REGIONAL PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE,
CHENNAI REGION,
ROYALA TOWERS,
NO.2 & 3, IV FLOOR,
OLD NO.785, NEW NO.158,
ANNA SALAI, CHENNAI,
TAMILNADU- 600 002.
2. THE INSPECTOR OF POLICE,
KOTTAKUPPAM POLICE STATION,
KOTTAKUPPAM,
VILLUPURAM DISTRICT.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to renew the petitioner's passport No.J 3092509 for 10 years and re-issue it to the Petitioner as applied for within a time frame to be fixed by this Court.

For Petitioner : Mr.B.Thiyagarajan

For R1 : Mr.V.Muthupandi (CGSC)



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For R2

: Dr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

The prayer in the writ petition is to renew the petitioner's passport No. J 3092509.

2. Upon hearing *Mr.B.Thiyagarajan*, the learned counsel appearing for the petitioner and *Mr.V.Muthupandi*, learned Central Government Standing Counsel appearing for the first respondent and *Dr.C.E.Pratap*, the learned Government Advocate (Crl.Side) appearing for the second respondent and perusing the material records of the case, it can be seen that upon receipt of an adverse police report, the petitioner's request to renew the passport was not acceded to. It can be seen that a case was registered against the petitioner in Crime No. 234 of 2024 is pending against the petitioner for alleged offences under section 147, 148, 294(b), 506(ii) and 427 of IPC on the file of the Kottakuppam Police Station. The legal position has already been clarified by the Hon'ble Division Bench of the Court in *Arumugam vs Regional Passport*



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Officer (W.A(MD) No. 301 of 2018), and the said position is also clarified by

the Government of India, which has stated that the pendency of the First Information Report (FIR) cannot be considered a criminal case for the purposes of the Passport Act.

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

(i) The petitioner's passport No. J3092509 shall be considered de hors the pendency of the criminal case and if the petitioner is eligible, the passport shall be issued.

(ii) The above exercise shall be completed within eight weeks from the date of receipt of the web copy of this order, without waiting for the certified copy of the order. No costs.

25.04.2025

Neutral Citation: Yes/No
nsl



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D.BHARATHA CHAKRAVARTHY, J.

nsi

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