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WP No. 16545 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 16545 of 2025

and

WMP No. 18704 OF 2025

C.Ashokan
S/o. Chinnasamy,
No.139/9, South Street,
Thuraimangalam Post,
Perambalur-621 220

Petitioner(s)

Vs

1. Regional Passport Officer
Regional Passport Office,
Tiruchirapalli,
New Municipal Complex,
Thillainnagar 7th Cross,
Tiruchirapalli-620 018.

2.The Inspector of Police
Perambalur Police Station, Perambalur.

Respondent(s)

PRAYER



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Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the entire records relating to impugned order in letter No.FCL/319454319/24, issued by the 1st respondent dated 11.09.2024 and quash the same with consequential direction directing the 1st respondent to process the petitioner's passport application No.TR2074887600122 without insisting order from the court pertaining to the case pending in crime No.1335 of 2018 on the file of the 2nd respondent, within the stipulated time as fixed by this court.

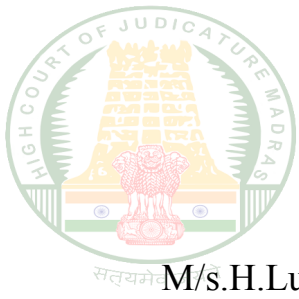
For Petitioner(s): M/s.A.Manojkumar
S. Gopinath
V. Livin
LIMARUBINI

For Respondent: Mr.H.Lucia Priyadharshini (for R1)
Central Government Standing Counsel
Mr.Leonard Aul Joseph Selvam (for R2)
Government Advocate (Criminal Side)

ORDER

This writ petition has been filed challenging the impugned communication received from the 1st respondent dated 11.09.2024 and for a consequential direction to the 1st respondent to process the passport application submitted by the petitioner and to renew the passport which expires on 14.07.2023.

2. Heard M/s.A.Manojkumar, learned counsel for the petitioner and



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M/s.H.Lucia Priyadharshini, learned Central Government Standing Counsel for 1st respondent and Mr.Leonard Aul Joseph Selvam , learned Government Advocate (Criminal Side) for 2nd respondent.

3. The petitioner submitted an application seeking for renewal of passport. An FIR has been registered in Crime No.1335 of 2018 on the file of the 2nd respondent and the petitioner was also arrayed as an accused. A final report was filed after the completion of investigation and the petitioner was arrayed as 7th respondent. The final report was put to challenge in Crl OP No.19105 of 2023 and this Court found that there are no *prima facie* materials against the petitioner.

4. The 1st respondent issued a show cause notice calling for explanation from the petitioner. Since there was no response, the file was closed and it was intimated to the petitioner through the impugned communication dated 11.09.2024. Aggrieved by the same, the present writ petition has been filed before this Court.

5. In the considered view of this Court, the 1st respondent has not passed any adverse order against the petitioner. The 1st respondent has merely informed the petitioner that the file has been closed since there was no response



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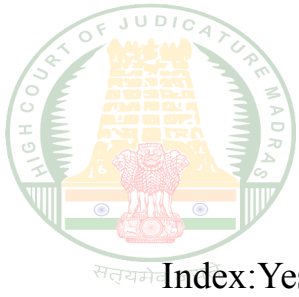
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from the petitioner. When the show cause notice was issued to the petitioner, the petitioner could have brought to the notice of the 1st respondent regarding the pendency of the criminal original petition and the interim order passed therein. Since the 1st respondent was not aware of this fact, the passport application has been closed. The same cannot be faulted.

6. It is left open to the petitioner to submit the renewal application and bring to the notice of the 1st respondent the interim order passed by this Court on 30.08.2023 in CrI OP No.19105 of 2023. Subsequently, the presence of the petitioner was also dispensed with by this Court by an order dated 21.09.2023. The same shall be taken into consideration by the 1st respondent and if the petitioner has satisfied the other requirements, except the pending criminal original petition which has already been challenged, renewal application shall be processed and the renewal shall be granted.

7. This writ petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Regional Passport Officer
Regional Passport Office,
Tiruchirapalli,
New Municipal Complex,
Thillainnagar 7th Cross,
Tiruchirapalli-620 018.

2. The Inspector of Police
Perambalur Police Station, Perambalur.



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