



Writ Petition No.21512 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21512 of 2025

and

W.M.P.No.24287 of 2025

Sulaiman Seettu Nazir Ahamed
S/o.Nazir Ahamed

Petitioner

Vs

1.The Regional Passport Officer,
Regional Passport Office,
Rayala Towers 2 & 3, IV Floor,
New No.158, Anna Salai,
Chennai - 2.

2.The Inspector of Police,
Villupuram Town Police Station,
Villupuram.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned communication/letter in Letter Ref.No.SCN/321480361/25 dated 14.05.2025 of the first respondent and quash the same as illegal and contrary to the judgment of this Court in *Arumugam Vs The Regional Passport Officer in W.A.(MD)No.301 of 2018* and consequently, direct the first respondent to issue passport to the



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petitioner vide File MA4064973155925 dated 25.04.2025 within time frame stipulated by this Court by considering the petitioner's representation dated 20.05.2025.

For Petitioner : Mr.I.Abdul Basith

For Respondents : Mr.S.Dilliraj,
Central Government Standing Counsel
[R1]
Mr.Leonard Arul Joseph Selvam
Government Advocate [Crl.side] [R2]

ORDER

This writ petition has been filed challenging the impugned communication received from the first respondent dated 14.05.2025 and for a consequential direction to the first respondent to deal with the representation made by the petitioner on 20.05.2025 wherein the petitioner is seeking for issuance of passport.

2. Heard Mr.I.Abdul Basith, learned counsel for petitioner, Mr.S.Dilliraj, learned Central Government Standing Counsel appearing for first respondent and Mr.Leonard Arul Joseph Selvam, learned Government Advocate [Crl.side] appearing for second respondent.

3. The impugned communication has been issued to the



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petitioner by the first respondent mainly on the ground that a criminal case is pending against the petitioner in Crime No.427 of 2024 before the second respondent and hence, the petitioner has been called upon to explain regarding the same.

4. Learned Government Advocate appearing on behalf of the second respondent submitted that the First Information Report was registered in Crime No.427 of 2024 for offences under Sections 126(2), 189(2) and 293 of BNSS and investigation has been completed and police report has been filed before the Judicial Magistrate I, Villupuram and the same is yet to be taken on file.

5. In the considered view of this Court, the police report is yet to be taken on file by the concerned jurisdictional court and hence, it cannot be inferred that there is a 'case pending' against the petitioner. In any case, the Division Bench of this Court in ***W.A.No.902 of 2023 dated 02.06.2023 [The Regional Passport Officer v. Samsudeen Mohamed Salih]*** has held that processing a passport can be done even if a case is pending and the permission of the Court will arise only if the accused person wants to go abroad during the pendency of the criminal case.

N.ANAND VENKATESH, J



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6. In the light of the above discussion, the impugned notice issued by the first respondent dated 14.05.2025 is quashed and there shall be a direction to the first respondent to process the application submitted by the petitioner and issue the passport, if the petitioner satisfies all the other requirements. This process shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

This writ petition is allowed with the above direction. No costs.

Consequently, connected miscellaneous petition is closed.

17.06.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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To

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