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WP No. 21232 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 21232 of 2025

AND

WMP NO. 23992 OF 2025

1. Sundaram Oyyanakonar
S/o.Oyyanakonar, No.3/324,
Kumaraguru Avenue, Neelangarai,
Chennai.

Petitioner(s)

Vs

1. The Regional Passport Officer
Regional Passport Office, Chennai
Royala Towers, No.2 And 3, Iv Floor,
Old No.785, New No.158, Anna Salai,
Chennai-02.

2.The Deputy Superintendent Of
Police
Q Branch, CBCID, Tiruchirapalli.

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Certiorarified Mandamus to call for the records relating to the order



passed by the 1st respondent dated 09.02.2022 quash the same and direct the 1st respondent to process the application of the petitioner and to issue fresh passport under file No.MA3061339211011 dated 29.11.2011 (Letter Ref. No.CNO/ 312147311/ 22) to the petitioner at an earliest and pass orders.

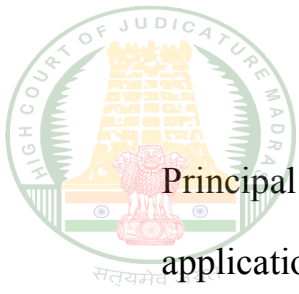
For Petitioner(s): Mr.V.Elangovan
For Respondent(s): Mr.R.Sivamoorthi, CGSC
for R1
Mr.Leonard Arul Joseph Selvam
Government Advocate [Crl Side]
for R2

ORDER

This writ petition has been filed challenging the impugned proceedings of the 1st respondent dated 09.02.2022 and for a consequential direction to the 1st respondent to process the application submitted by the petitioner for issuance of a fresh passport.

2. Heard Mr.V.Elangovan, learned counsel for the petitioner and Mr.R.Sivamoorthi, learned Central Government Standing counsel for 1st respondent and Mr.Leonard Arul Joseph Selvam, learned Government Advocate (Crl. Side) for 2nd respondent.

3. It is brought to the notice of this Court that the case against the petitioner is now pending in CC No.43 of 1995 on the file of the Special Court/

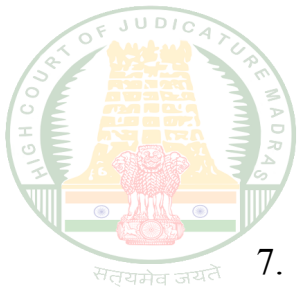


Principal District and Sessions Judge, Trichy. The petitioner submitted an application seeking for issuance of passport and the same was closed by the 1st respondent on the ground that a criminal case is pending against the petitioner before the concerned Court.

4. The learned Government Advocate appearing on behalf of the 2nd respondent submitted that the case is now at the stage of final arguments and if at all, the petitioner wants to get a permission, he can only approach the concerned Court where the criminal proceeding is pending.

5. The learned Central Government standing counsel appearing on behalf of the 1st respondent submitted that the application submitted by the petitioner has already been closed on the ground that the petitioner has not obtained any permission from the Special Court where the criminal case is pending.

6. The learned counsel for the petitioner brought to the notice of this Court an order passed in WP No.6324 of 2025 dated 22.04.2025 wherein a similar challenge was made by a person against whom there were four pending cases before different Courts apart from the Special Court. The learned counsel submitted that the petitioner will submit an application before the concerned Court and a direction must be given to such Court to deal with the same within the time frame stipulated by this Court.



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7. Taking into consideration the facts and circumstances of the case and the submissions made on either side and also of the fact that there is a criminal case pending against the petitioner, this writ petition is disposed of in the following terms:-

- (a) The 1st respondent shall consider the application of the petitioner and issue the passport, if the petitioner is otherwise eligible de-hors the pendency of the criminal case.
- (b) The aforesaid exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. and
- (c) The petitioner shall take permission in the pending criminal case before the concerned Court, if he wants to leave abroad.

No costs. Consequently, the connected miscellaneous petition is closed.

16-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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N.ANAND VENKATESH J.

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