



Writ Petition No.21365 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21365 of 2025

Niyamath Ali
S/o.Abdul Rahman

Petitioner

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 - 600 002.

2.The Inspector of Police,
Nemili Police Station,
Ranipet District.
Crime No.328 of 2012

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent to renew the petitioner's passport bearing number M8412049.



WEB COPY



Writ Petition No.21365 of 2025

For Petitioner : Mr.C.Sivakumar
For Respondents : Mr.G.Mutharasu
Standing Counsel [R1]
Mr.Leonard Arul Joseph Selvam
Government Advocate [Crl.side] [R2]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the first respondent to consider the application submitted by the petitioner seeking for renewal of passport.

2. Heard Mr.C.Sivakumar, learned counsel for petitioner, Mr.G.Mutharasu, learned Standing Counsel appearing for first respondent and Mr.Leonard Arul Joseph Selvam, learned Government Advocate [Crl.side] appearing for second respondent.

3. The first respondent has refused to process the application submitted by the petitioner only on the ground that a First Information Report came to be registered in Crime No.328 of 2012 by the second respondent for offence under the Explosives Act and investigation has been completed and police report has been filed before the Judicial Magistrate II, Arakkonam and the same is yet to be taken on file.



Writ Petition No.21365 of 2025

4. In the considered view of this Court, admittedly, the police report has not been taken on file by the Court and hence, there is "No Case Pending" when the application was processed by the first respondent. 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 insofar as processing a passport application is concerned, it does not require the permission of the Court and the permission of the Court is required only when a person facing criminal prosecution wants to go abroad.

5. In view of the above, there shall be a direction to the first respondent to process the application submitted by the petitioner and renew 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 disposed of with the above direction. No costs.

17.06.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm



WEB COPY

To

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 - 600 002.

2.The Inspector of Police,
Nemili Police Station,
Ranipet District.
Crime No.328 of 2012



Writ Petition No.21365 of 2025

N.ANAND VENKATESH, J

gm

Writ Petition No.21365 of 2025

17.06.2025