



W.P.No.20354 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.20354 of 2024

Murali Radhakrishnan

.. **Petitioner**

Vs.

1. The Regional Passport Officer
Office Of The Regional Passport Office,
Chennai Royala Towers No.2 And 3,
IV Floor, Old No.785,
New No.158, Anna Salai, Chennai-600 002.

2. State Rep. By
The Inspector Of Police
E5 Sholavaram Police Station,
Sothuperumbedu, Chennai, Tamil Nadu-600 067.

.. **Respondents**

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the 1st respondent to issue passport by considering the representation dated 20.04.2024 within the time stipulated by this Court.

For the Petitioner

: Mr.Dayan Shariff R.



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For the Respondents

: Mr.R.Subramanian
CGSC for R1
Dr.C.E.Pratap
Government Advocate for R2

ORDER

The Writ Petition is filed with a prayer to direct the respondents to issue passport to the petitioner by considering the petitioner's representation dated 20.04.2024.

2. Upon hearing the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents and perusing the affidavit filed in support of the Writ petition and the material records of the case, it can be seen that the petitioner applied for issue of passport vide application file No.MA2064515368122. Upon receipt of an adverse police report, the passport was not issued to the petitioner.

3. It can be seen that a criminal case is pending against the petitioner in S.C.No.83 of 2019 on the file of the Mahila Court, Thiruvallur for the offences



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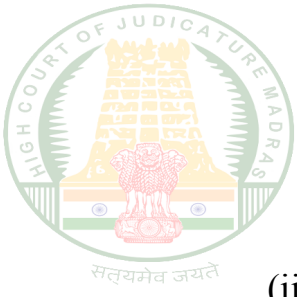
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under Sections 16, 17, 18, 9 of BLS Act r/w Section 344, 370 (iii), 374 of IPC and 3 (I) (i) (vi), 3(I) (xv) SC / ST Act @ 16, 17, 18, 8, 9 BLS Act, 342, 370, 374 of IPC.

4. The legal position in respect thereof has since been settled by the Division Bench Judgment of this Court in ***the Regional Passport Officer Vs. Samsudeen Mohamed Salih & Others*** (W.A.No.902 of 2023) whereunder it has been held that the issue of passport itself need not be withheld. However, the person concerned has to get the permission of the concerned Court, before leaving abroad.

5. In view thereof, this Writ Petition is disposed of on the following terms:-

(i) The 1st respondent shall take up the application of the petitioner bearing file No.MA2064515368122 and consider the same and issue passport to the petitioner de-hors the pendency of the above criminal case, if the petitioner is eligible in other respects;



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(ii) The above said exercise shall be completed within a period of eight weeks from the date of receipt of a web copy of the order, without waiting for the certified copy;

(iii) The petitioner has to get the permission from the Judge, Mahila Court, Thiruvallur, in connection with S.C.No.83 of 2019, before leaving abroad;

(iv) No costs.

07.04.2025

Neutral Citation : No

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To

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