



WEB COPY

WP No. 25060 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 25060 of 2025

1. D.Venkatesan

S/o Devaraj No 129, Sivan Kovil Street
Kangiyannur Village And Post,
Vanapuram Taluk,
Kallakurichi District 605 754

Petitioner(s)

Vs

1. The Regional Passport Officer
Chennai Royala Towers, New No 158
Anna Salai, Chennai 600 002

2.The Superintendent Of Police
Kallakurichi District

3.The Inspector Of Police
Manalur Pettai Police Station,
Kallakurichi District

Respondent(s)

For Petitioner(s): M/s.S.Parkavi

For Respondent(s): Mr.L.J.Vengatesh



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Central Government Standing
Counsel for R1
Mr.V.Meganathan
Government Advocate [Crl Side]
for R2 and R3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to act upon the application submitted by the petitioner wherein the petitioner is seeking for issuance of passport.

2. Heard Mr.S.Parkavi, learned counsel for the petitioner and Mr.L.J.Vengatesh, learned Central Government Standing Counsel for 1st respondent and Mr.V.Meghnathan, learned Government Advocate [Crl Side] for Respondents 2 and 3.

3. The application submitted by the petitioner before the 1st respondent was not processed since the 1st respondent has received an adverse report against the petitioner from the 3rd respondent.

4. The learned Government Advocate appearing on behalf of the respondents 2 and 3 submitted that an FIR came to be registered in Crime No.101 of 2023 for offence under Section 153, 504 and 505(1) (c) of IPC. Ultimately, the investigation was completed and the police report was filed. The

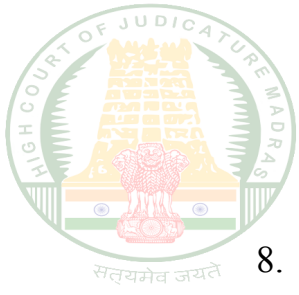


same was taken on file by the learned Judicial Magistrate, Thiruvannamalai, in CC.No.5 of 2025. The learned Government Advocate further submitted that the petitioner filed an application before the concerned Court in CMP No.464 of 2025 for permission to travel to Thailand. This application came to be dismissed by an order dated 22.04.2025.

5. In the considered view of this Court, the petitioner admittedly does not possess any passport. In view of the same, it is not known as to how the application was filed before the Magistrate Court to travel to Thailand without a passport. Unless and otherwise, there is a passport, the petitioner cannot move out of India since ultimately after reaching the foreign country, visa will be issued on arrival only by considering the passport.

6. The 1st respondent is not processing the application submitted by the petitioner only on the ground that an adverse report has been received from the police.

7. The issue involved in the present writ petition is covered by the order passed by the Division Bench of this Court in WA No.902 of 2023 dated 02.06.2023. The Division Bench has held that permission of the Court is required only when the accused person wants to travel abroad. However, insofar as the application is concerned, it can be independently processed by the passport officer even without the permission of the Court.



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8. In view of the above order, there shall be a direction to the 1st respondent to process the application submitted by the petitioner and issue the passport if the petitioner has satisfied all the other requirements. This process shall be completed by the 1st respondent within a period of four weeks from the date of receipt of a copy of this order. If ultimately the petitioner wants to go abroad, the petitioner has to file an application before the Trial Court and seek for permission.

9. This writ petition is disposed of with the above directions. No costs.

10-07-2025

rka

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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N.ANAND VENKATESH J.
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