

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 26366 of 2025

AND

WMP NO. 29680 OF 2025

1. B.Hyder Ali
S/o.Bakruddin, No.164,
Annai Sathya Nagar Main Street,
Vyasarpadi, Chennai- 039.

Petitioner(s)

Vs

1. The Regional Passport Officer
(Chennai)
Ministry Of External Affairs,
Government Of India, Regional
Passport Office, Rayala Towers,
No.2 and 3, IV Floor, Old No.785,
New No.158, Anna Salai,
Chennai- 02.

2.The State Rep By Its
Inspector Of Police, P-3
Vyasarpadi Police Station,
Chennai.

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 of the Impugned order dated 15.03.2024 bearing Letter ref. No.CNO/ 317379823/ 24 issued by the Respondent and quash the same and



direct the Respondent to re-issue the passport to the petitioner on his application dated 03.10.2023 bearing reference No. 23-1012291485 within the period to be stipulated by this Court.

For Petitioner(s): Mr.R.Ragavendran
For Mrs.R.Durgarani,
Respondent(s): Central Government
Standing Counsel for R1
Mr.V.Meganathan,
Government Advocate[CrI
Side] for R2

ORDER

This writ petition has been filed challenging the impugned communication dated 15.03.2024 issued by the 1st respondent and for a consequential direction to the 1st respondent to reissue the passport of the petitioner based on the application submitted by the petitioner on 03.10.2023.

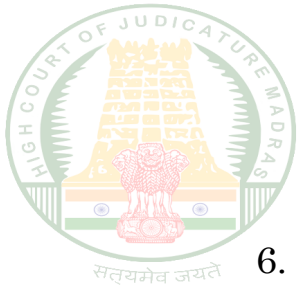
2. The learned Government Advocate appearing on behalf of the 2nd respondent submitted that an FIR came to be registered against the petitioner and ultimately, on completion of the investigation, the police report was filed before the learned Judicial Magistrate I, Trichy and the same was taken on file in CC No.540 of 2019 and the case is pending.



3. The impugned communication has been issued by the 1st respondent mainly on the ground that a case is pending before the concerned Court and therefore, the 1st respondent cannot reissue / renew the passport of the petitioner.

4. In the considered view of this Court, the law on this issue is now too well settled. Useful reference can be made to the judgement of the Division Bench of this Court in WA No.902 of 2023 wherein the Division Bench has held that insofar as the re-issuance of passport is concerned, it is not necessary for the concerned person to get the permission from the Court. Only when it comes to travelling abroad, the concerned person must seek for permission from the Court where the criminal case is pending.

5. Considering the above, there shall be a direction to the 1st respondent to act upon the application submitted by the petitioner and re-issue the passport in the name of the petitioner, within a period of four weeks from the date of receipt of a copy of this order, if the petitioner satisfies all the other requirements. If the petitioner wants to go abroad, the petitioner has to necessarily seek for the permission from the Court where the criminal case is pending.



6. This writ petition is allowed with the above directions. No costs. No costs. Consequently, the connected miscellaneous petition is closed.

21-07-2025

rka

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.The Regional Passport Officer
(Chennai)
Ministry Of External Affairs,
Government Of India, Regional
Passport Office, Rayala Towers
No.2 And 3, IV Floor,Old No.785,
New No.158, Anna Salai,
Chennai- 02.

2.The State Rep By Its
Inspector Of Police, P-3
Vyasarpadi Police Station,
Chennai.



WEB COPY

WP No. 26366 of 2025



N.ANAND VENKATESH J.
rka

WP No. 26366 of 2025
WMP NO. 29680 OF 2025

21-07-2025