

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 26213 of 2025

AND

WMP NO. 29518 OF 2025

1. Karlmarks

S/o.Ramasundaram, No.2/27a,
North Street, Kandiratheertham
Post, Ariyalur-621 851.

Petitioner(s)

Vs

1. The Passport Officer
Regional Passport Office,
Tiruchirappalli, New Municipal
Complex, Thillai Nagar,
7th Cross, Tiruchirappalli.

2.The Superintendent Of Police
Ariyalur District

3.The State Rep. By
Inspector Of Police, Venganur
Police Station, Ariyalur District.

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorari to call for the entire records relating to the summon issued by the 1st respondent in File No.TR1074987329725 dated 26.05.2025 and quash the same and consequently direct the first respondent to reissue the passport



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within a time frame fixed by this Court.

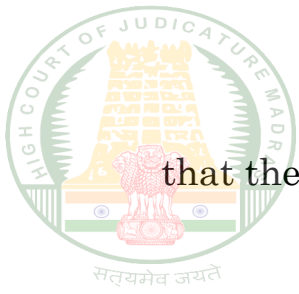
For Petitioner(s): Mr.R.Gokulakrishnan
For Mr.S.Pavesh Kannan
Respondent(s): Central Government
Counsel for R1
Mr.V.Meganathan,
Government Advocate [Crl.
Side] for R2

ORDER

This writ petition has been filed challenging the summon issued by the 1st respondent dated 26.05.2025 and for a consequential direction to the 1st respondent to reissue the passport within the time frame fixed by this Court.

2. When the matter was taken up for hearing, learned Government Advocate appearing on behalf of the respondents 2 and 3 submitted that the FIR came to be registered in Crime No.56 of 2018 for offence under Section 379 of IPC and Section 21(1) of the Mines and Minerals Development Act and that investigation has been completed and the final report has been filed before the concerned Court and the same is yet to be taken on file.

3. The impugned summons has been issued by the 1st respondent based on the report received from the police to the effect



that there is a criminal case pending against the petitioner.

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4. In the considered view of this Court, the mere pendency of an FIR against the petitioner cannot be a ground to refuse re-issuance / renewal of the passport in favour of the petitioner. 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. In view of the above, the impugned summons issued by the 1st respondent dated 26.05.2025 is hereby quashed and there shall be a direction to the 1st respondent to reissue / renew the passport in favour of the petitioner, within a period of four weeks from the date of receipt of a copy of this order, if the petitioner has satisfied all the other requirements.



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

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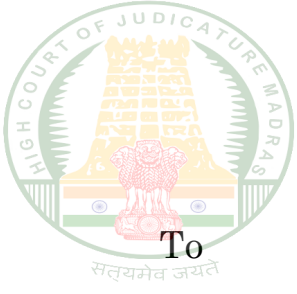
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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To

WEB COUNCIL

1. The Passport Officer
Regional Passport Office,
Tiruchirappalli, New Municipal
Complex, Thillai Nagar 7th Cross,
Tiruchirappalli.

2. The Superintendent Of Police
Ariyalur District

3. The State Rep. By
Inspector Of Police, Venganur
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