



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 25325 of 2025

K.Kader Batcha Sowjeeth Khan
S/o Kader Batcha
No. 4/7, Feroz Sahib Street,
Royapettah, Chennai 600 014.

Petitioner(s)

Vs

1. The Regional Passport Officer,
Office of the Regional Passport Office,
Anna Salai, Chennai 600 002.

2. The Assistant Commissioner of Customs,
B Wing IIIrd Floor,
No. 1 Williams Road, Cantonment,
Tiruchirapalli – 620 001.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to re-issue passport to the petitioner.

For Petitioner(s): Mr.R.Rajan

For Respondent(s): Mr.S.Nelson, Central
Govt.Standing Counsel For R1
Mr.Rajnish Pathiyil
Senior Panel Counsel For R2



ORDER

WEB COPY

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to re-issue / renew the passport of the petitioner based on the application submitted by the petitioner on 10.01.2024.

2. When the matter was taken up for hearing today, the learned Senior Panel Counsel appearing for 2nd respondent produced the relevant documents before this Court and it is seen that a case was registered against the petitioner under Section 135 (i) (b) of the Customs Act, 1962. The same resulted in a case in CC No.330 of 2016 on the file of the Judicial Magistrate I, Trichy. In this case, the petitioner pleaded guilty and a fine was imposed by judgement dated 17.07.2017 which was paid by the petitioner. For the very same transaction, penalty proceedings were initiated by the Joint Commissioner of Customs and through an order dated 28.12.2015, the total penalty of Rs.20,00,000/- has been imposed against the petitioner under Section 112 (a) of the Customs Act, 1962. The learned Senior Panel counsel submitted that this penalty is yet to be paid by the petitioner.

3. Taking into consideration the above submissions made by the learned Senior Panel Counsel appearing for the 2nd respondent, it is seen that the criminal case against the petitioner is already complete and what remains is the recovery of penalty from the petitioner. Hence, there shall be a direction to the



1st respondent to process the application submitted by the petitioner for re-issuance / renewal of the passport and it shall be completed within a period of four weeks from the date of receipt of a copy of this order. Insofar as the recovery of penalty from the petitioner, it is left open to the 2nd respondent to proceed further in accordance with law.

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

22-07-2025

rka

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WP No. 25325 of 2025



To
WEB COPY

1. The Regional Passport Officer
Office of the Regional Passport Office,
Anna Salai, Chennai 600 002.

2. The Assistant Commissioner of Customs,
B Wing IIIrd Floor,
No. 1 Williams Road, Cantonment,
Tirichy



WEB COPY

WP No. 25325 of 2025



N.ANAND VENKATESH J.

rka

WP No. 25325 of 2025

22-07-2025