



WEB COPY

WP No. 29490 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 29490 of 2025

1. S.Kalyana Sundaramurthy
S/o. Subramaniam

Petitioner(s)

Vs

1. The Passport Officer
Regional Passport Office,
Chennai Chennai Royala Towers No.2
And 3 ,
IV Floor Old No. 785 New No. 158
Anna Salai
Chennai 02

2.The Commissioner Of Police
Avadi Commissionerate,
Tiruvallur District

3.The State Rep. By
Inspector Of Police,
W29 Avadi All Women Police Station,
Tiruvallur District

Respondent(s)



PRAYER

Call for the entire records relating to the summon issued by the 1st respondent in File No.MAC076530870324 dated 9.07.2024 and quash the same and consequently direct the first respondent to reissue the passport within a time frame fixed by this Court.

For Petitioner(s): Mr.M.Loganathan

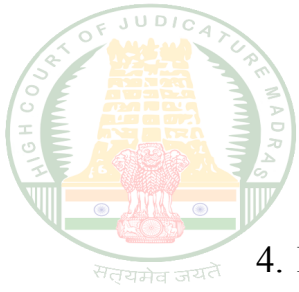
For Respondent: Mr.S.Dilliraj
Central Government Standing Counsel for R1
Mr.V.Meganathan
Government Advocate (Crl. Side) for R2

ORDER

The present writ petition has been filed challenging the impugned proceedings of the 1st respondent dated 09.07.2024 and for a consequential direction to the 1st respondent to reissue the passport.

2. The learned Government Advocate appearing on behalf of the 2nd and 3rd respondents submitted that a criminal case is pending against the petitioner in C.C.No.198 of 2024 before the learned Judicial Magistrate No.I, Poonamalle.

3. Heard Mr.M.Loganathan, learned counsel for the petitioner and Mr.S.Dilliraj, learned Central Government Standing Counsel for the 1st respondent and Mr.V.Meganathan, learned Government Advocate (Crl. Side) for the 2nd respondent.



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4. In the instant case, the petitioner is seeking for reissue/renewal of the passport. The only question is whether the pendency of the criminal case is a bar to renew the passport of the petitioner without the permission of the Court. This issue is no longer *res integra* and it was dealt by the Division Bench in WA.No.902 of 2023 dated 20.06.2023. The Division Bench held that such permission should be sought for only if the accused person, who is facing criminal cases wants to go abroad. That apart, such permission will not be required for the purpose of renewal of the passport. This order of the Division Bench was followed by me in W.P.No.21232 of 2025 by order dated 16.06.2025.

5. In view of the above, even though the particulars of the criminal cases pending against the petitioner have been placed before this Court, that by itself is not a ground for the respondent not to renew the passport. Hence, the application shall be acted upon, and the passport shall be renewed, if it is otherwise in order. The question of getting permission before the Courts will arise only if the petitioner wants to go abroad. If the petitioner wants to go out of Country, he has to seek for necessary permission before the concerned Court where the criminal case is pending. The 1st respondent shall complete the process within a period of four weeks from the date of receipt of a copy of this order.



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

Consequently, the connected miscellaneous petitions, if any, are closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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N.ANAND VENKATESH J.

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