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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM :

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Writ Petition No.28097 of 2024

Maqbool John Abdul Nabi

.... Petitioner

.Vs.

1.The Regional Passport officer
2nd & 3rd Floors, Royala Towers
Old No.785, New No.158, Anna Salai
Chennai 600 002.

2.The State rep.by
The Inspector of Police
J-7, Police Station
Velacherry, Chennai 600 042.

.. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to issue a passport to the petitioner on the application dated 29.04.2024 bearing reference No.MA 2066495014324.

For Petitioner : Mr.M.Mubarak Ahmad



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For Respondents : Mr.V.Meganathan
Government Advocate (Crl.Side)
for R2

Mr.N.K.Nitila Vani for R1

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the 1st respondent to deal with the application submitted by the petitioner on 29.4.2024, wherein the petitioner is seeking for issuance of passport.

2.When the matter was taken up for hearing today, the status report of the 2nd respondent was placed before this Court.

3.The relevant portions are extracted hereunder:

3.It is submitted that when the petitioner Maqbool Abdul Nabi has submitted the application seeking for issuance of passport before the 1st respondent Regional Passport Office, Chennai, it was came to adverse notice that the petitioner/Maqbool Abdul Nabi has suppressed pendency of the criminal case against him by the 2nd respondent as supra mentioned. Therefore, the 1st respondent has rightly rejected the application of the petitioner/Maqbool Abdul Nabi and he was called upon to give an explanation regarding the



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suppression material information vide order dated:
08.07.2024.

4.It is submitted that upon detailed scrutiny and verification, the 2nd respondent police have now able to trace out the antecedents of the petitioner petitioner/Maqbool Abdul Nabi. The thorough search of the CCTNS records would go to show that the petitioner is involved in the following cases are as follows.

Sl.No.	Police Station, Crime Number, Under Section	Stage of the case
1	J-7 Velachery PS Cr.No.2044 of 2011 U/s.447, 424, 427, 506(i) IPC.	C.C.No.1627 of 2024 before XVIII Metropolitan Magistrate, Saidapet.
2	J-7 Velachery PS Cr.No.2063 of 2011 U/s.384, 447, 424, 427, 506(i) IPC	Acquittal on 04.11.2024
3	J-7 Velachery PS Cr.No.2071 of 2011 U/s.147, 148, 384, 506(i) IPC r/w 3 of TNPPDL Act	Under Investigation
4	J-7 Velachery PS Cr.No.2071 of 2011 U/s.147, 148, 420, 447, 424, 384, 506(i) IPC r/w 3 of TNPPDL Act	Under Investigation
5	J-7 Velachery PS Cr.No.2071 of 2011 U/s.147, 148, 294(b), 307, 447, 506(ii) IPC r/w 3 of TNPPDL Act	Case transfered to CCB

4.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

5.It is seen from the status report that totally five cases were registered against



the petitioner and out of that, one case ended in acquittal, one case is at the stage of trial and three cases are at the stage of investigation.

6.The petitioner has also submitted his reply for the clarification sought for by the 1st respondent through letter dated 29.7.2024.

7.In the considered view of this Court, the petitioner is only seeking for issuance of passport. It is true that the criminal cases are pending against the petitioner. That by itself is not a ground to deny the issuance of passport to the petitioner. The permission of the Court will arise only when the petitioner wants to leave the country.

8.In view of the above, there shall be a direction to the 1st respondent to process the application submitted by the petitioner on 29.4.2024 and issue passport in the name of the petitioner, 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 copy of the order. It is made clear that if the petitioner wants to leave India, he has to necessarily approach the concerned Court where the criminal case is pending.

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



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Index : Yes/No

NCS : Yes/No

KP

To

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N.ANAND VENKATESH, J.



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