

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-08-2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 28683 and 28688 of 2025

AND

WMP NO. 32122 OF 2025 and WMP NO. 32124 OF 2025

WP No.28683 of 2025

1. M.Ramchander Singh
S/o.Mangal Singh No.85/1,
T.H.Road Kaladipet,
Thiruvottiyur Chennai- 19.

Petitioner(s)

Vs

1. State Rep By. Inspector Of
Police
Cbi/ Scb/ Chennai Rajaji Bhawan,
Besant Nagar, Chennai- 600 090.

2.The Regional Passport Officer
Regional Passport Office, Rayala
Towers 2 And 3, IV Floor,
New No.158, Anna Salai,
Chennai- 2.

Respondent(s)

WP No. 28688 of 2025

1. Pramod Singh
S/o.Ramchandrar Singh No.85/1,
T.H.Road, Kaladipet,



Thiruvottiyur, Chennai- 600 019.

Petitioner(s)

WEB COPY

Vs

1. State Rep By. Inspector Of
Police
Cbi/ Scb/ Chennai Rajaji Bhawan,
Besant Nagar, Chennai- 600 090.

2.The Regional Passport Officer
Regional Passport Office, Rayala
Towers 2 And 3, IV Floor, New
No.158, Anna Salai, Chennai- 2.

Respondent(s)

WP No. 28683 of 2025

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Mandamus directing the 2nd respondent to renew/ reissue the petitioner's passport bearing No.Y9257463 for a validity of 10 years from 21.09.2025 as per rule 12 (1) of the passport Rules1980, within a time frame as fixed by this Court.

WP No. 28688 of 2025

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Mandamus directing the 2nd respondent to renew/ reissue the petitioners passport bearing No.Y9256626 for a validity of 10 years from 21.09.2025 as per rule 12 (1) of the passport Rules1980, within a time frame as fixed by this Court.

For Petitioner(s): Mr.P. Solomon Francis
For M/s. D. Baskar, CGC For R2.



WEB COPY

WP No. 28683 of 2025



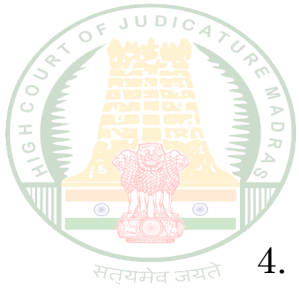
Respondent(s): (memo Dt-06/08/2025)
Ms.G.Vrinda
Special Public Prosecutor for
R1

ORDER

These writ petitions have been filed for the issue of writ of Mandamus directing the 2nd respondent to renew / reissue the passport of the petitioners for the regular period pursuant to the applications submitted by the petitioners on 05.07.2025.

2. The learned Special Public Prosecutor appearing on behalf of the 1st respondent in these writ petitions produced the written instructions. It is seen that there is a criminal case pending against the petitioners in CC No.4471 of 2010 before the Additional Chief Metropolitan Magistrate, Egmore and the case is at the stage of examination of defence witnesses. The 1st respondent has opposed renewal of the passport on the ground that there are chances of petitioners moving out of India by taking advantage of the renewal of the passport.

3. This Court has carefully considered the submissions made on either side and also perused the materials available on record.

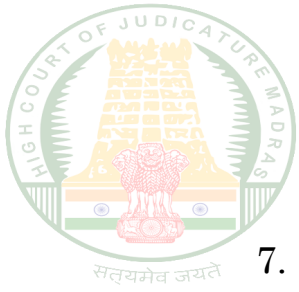


WEB COPY

4. In the case in hand, the father and son are seeking for renewal of their passport pursuant to the application submitted by them on 05.07.2025. The objection raised by the 1st respondent is that the criminal proceedings is at the stage of examination of the defence witnesses and that if the renewal is granted, there are chances of the petitioners absconding from the country.

5. In the considered view of this Court, the mere renewal of the passport may not require the permission of the Court where the criminal proceedings are pending. Useful reference can be made to the judgement of this Court in WA No.902 of 2023 wherein this Court has held that the permission is only required where the accused persons want to leave India.

6. In view of the above, there shall be a direction to the 2nd respondent to act upon the application submitted by the petitioners and to renew the passport for the regular period, if it is otherwise in order. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order.



WEB COPY

7. It is abundantly clear that mere renewal of the passport will not enable the petitioners to leave India. If the petitioners want to leave India, they have to necessarily approach the concerned Court and seek for the permission and the same will be considered on its own merits and in accordance with law.

8. Both these writ petitions are disposed of in the above terms. No costs. Consequently, the connected miscellaneous petitions are closed.

22-08-2025

rka

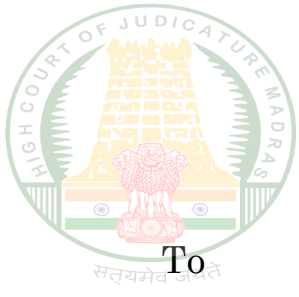
Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

Note : Issue order copy on 25.08.2025



WP No. 28683 of 2025



To

WEB COPY

1.State Rep By. Inspector Of
Police
Cbi/ Scb/ Chennai Rajaji Bhawan,
Besant Nagar, Chennai- 600 090.

2.The Regional Passport Officer
Regional Passport Office, Rayala
Towers 2 And 3, Iv Floor, New
No.158, Anna Salai, Chennai- 2.



WEB COPY

WP No. 28683 of 2025



N.ANAND VENKATESH J.
rka

**WP No. 28683 &
28688 of 2025
WMP NO. 32122 OF
2025 and WMP NO.
32124 OF 2025**

22-08-2025