



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2025

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

W.P.No.30275 of 2025

Mr.Alex Pandian Jawaharlal

.. Petitioner

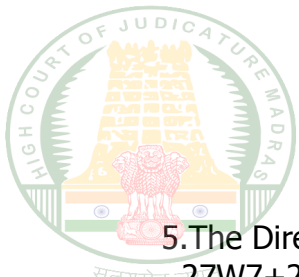
Vs.

1.The Regional Passport Officer
Ministry of External Affairs
Government of India
Chennai Zonal Passport Office
Shastri Bhavan, Haddows Road
Nungambakkam
Chennai 600 006.

2.The Secretary
Ministry of External Affairs
Government of India
South Block
New Delhi-110 001.

3.The Deputy Director (Immigration)
Bureau of Immigration(BOI)
East Block-VIII, Level-V
R.K.Puram
New Delhi-110066.

4.The Joint Secretary (Foreigners)
Ministry of Home Affairs
North Block, Central Secretariat
New Delhi-110001.



5.The Director General of Police
27W7+2XH Dr. Radhakrishna Salai Road
Mylore, Chennai 600004.

6.The Inspector of Police
All Women Police Station
Virugambakkam
Chennai.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondent -1 herein to process the petitioner's passport Renewal Application bearing Reference No. 25- 2002323872 and to issue the renewed passport forthwith, within a time frame to be fixed by this Hon'ble Court consequentially directing the 3rd respondent to drop Look out circular (LOC) issued against the petitioner in connection with FIR No. 10/ 2025 dated 10.04.2025 on the file of the 6th Respondent / All Women Police Station, Virugambakkam.

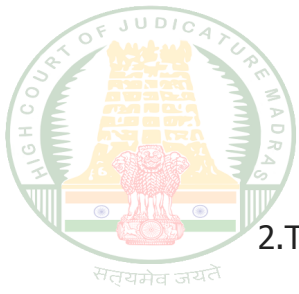
For Petitioner : Mr.R.Shanmugasundaram
Senior Advocate
for Mr.S.T.Raja

For Respondents : Mr.S.Shalni
Central Government Standing Counsel
for R1 to R4

Mr.V.Meganathan
Government Advocate (Crl.Side) for R5 & R6

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the passport authority to process the application submitted by the petitioner, wherein the petitioner is seeking for renewal of his passport.



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2.The case of the petitioner is that he is an Indian Citizen and a permanent resident of Canada. The passport of the petitioner was about to expire on 13.7.2025. Hence, the petitioner submitted an application for renewal of the passport at the Indian Embassy in Canada on 03.5.2025. However, this application was not processed and later, the petitioner came to know that an FIR has been registered in Crime No.10 of 2025, on the file of the 6th respondent and the case has been registered for alleged offence under Section 69 of BNS 2023. Therefore, the application submitted by the petitioner was kept pending.

3.The learned Government Advocate (Crl.Side) appearing on behalf of respondents 5 and 6 submitted that an FIR came to be registered in Crime No.10 of 2025 by the 6th respondent and that the investigation is pending.

4.The learned Senior Counsel appearing on behalf of the petitioner submitted that the petitioner has already moved an anticipatory bail petition before this Court and an order was passed on 22.7.2025, directing the police not to take any coercive steps. The learned Senior Counsel further submitted that even if the petitioner has to come to India, the passport has to be renewed and therefore the mere pendency of FIR against the petitioner should not be put against the petitioner for denial of renewal of the passport.

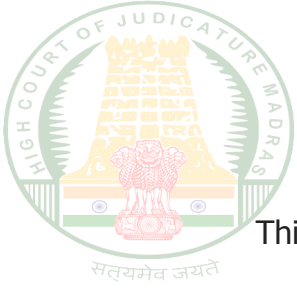


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5.This Court considered the submissions made on either side and the materials available on record.

6.The registration of FIR against the petitioner by itself cannot be construed as 'case pending' and that cannot be a ground to deny the renewal of the passport. The law on this issue is now too well settled. The petitioner has already applied for renewal well within time and his application is pending before the Indian Embassy in Canada. Hence, there shall be a direction to the 1st respondent to immediately intimate the Indian Embassy in Canada to process the application and to renew the passport of the petitioner. This process shall be completed within a period of two weeks.

7.It is brought to the notice of this Court that the 3rd respondent has already issued a LOC. As already mentioned supra, there is already an interim protection in favour of the petitioner. Therefore, ultimately even if anticipatory bail is granted, the petitioner has to execute sureties by coming to India. Therefore, the 3rd respondent shall keep the LOC in abeyance and depending upon the final orders to be passed in the anticipatory bail petition that is pending, further course of action can be taken.



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

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Index : Yes/No

Neutral Citation : Yes/No

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