



WEB COPY

WP No. 32080 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 32080 of 2025

1. Mehaboob Haja Mohideen
S/o.Mohamed Thahir,
Door No.3/1584/A, Thiruvallur Road,
Molachur, Sunguvarchatram,
Kanchipuram-602 106

Petitioner(s)

Vs

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

2.The Inspector Of Police
C2 Sunguvarchatram Police Station,
Kancheepuram

Respondent(s)

**PRAYER**

Calling for the records relating the impugned communication in Letter Ref.No.SCN/3184902 33/24 dated 16.07.2024 of the 1st respondent and quash the same as illegal and contrary to the judgement of this Court in ***The Regional passport officer, Chennai Vs.Samsudeen Mohamed salih and another*** in W.A No.902 of 2023 and consequently direct the 1st respondent to re-issue passport to the petitioner vide File No.MA3076693099524 dated 27.06.2024 by considering the petitioner's representation dated 31.7.2025 within time frame stipulated by this Court.

For Petitioner(s): Mr.I.Abdul Basith

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

ORDER

This writ petition has been filed challenging the impugned communication of the 1st respondent in Letter Ref.No.SCN/3184902 33/24, dated 16.07.2024 and for a consequential direction to the 1st respondent to reissue the passport to the petitioner based on the application submitted by the petitioner on 27.06.2024.

2. When the matter was taken up for hearing today, the learned Government Advocate, on instructions, submitted that the FIR is pending investigation in Crime No.13 of 2021 on the file of the 2nd respondent.



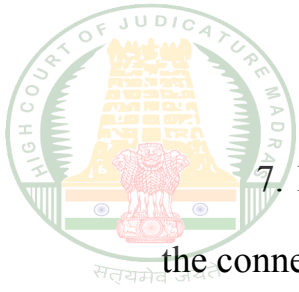
3. The learned counsel for the petitioner submitted that the name of the petitioner is not found in the FIR.

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4. It is not necessary for this Court to go into the issue as to whether the petitioner is an accused in the pending investigation. Even assuming that the investigation is pending before 2nd respondent, that is not a ground to refuse to renew/reissue the passport in favour of the petitioner.

5. Reference can be made to the judgment of the Division Bench in W.A No.902 of 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.

6. In view of the above, there shall be a direction to the 1st respondent to deal with the application submitted by the petitioner on 27.06.2024 and reissue 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. It goes without saying if the petitioner wants to get out of India during pendency of the criminal proceedings, the petitioner has to necessarily seek for the permission of the concerned Court.



7. In the result, the writ petition is disposed of. 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



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N.ANAND VENKATESH J.

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