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WP No. 31955 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-08-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 31955 of 2025

1. Mohammed Hassan Buhari
S/o Buhari

Petitioner(s)

Vs

1. The Regional Passport Officer
Regional Passport Office Ministry Of
External Affairs
Royala Towers No 2 And 3 IV Floor
Old No 785, New No 158 Anna Salai
Chennai 600 020

2.The Inspector Of Police
B1, North Bech Police Station,
Chennai

Respondent(s)

PRAYER

Calling for the records relating the impugned action of the 1st respondent dated 21.03.2025 in file number MA2077106657924 renewing the passport of the petitioner for one year in passport bearing No. AA843493 and quash the same



and consequently direct the 1st respondent to reissue the passport of the petitioner file number MA2077106657924 for a period of 10 years within time frame stipulated by this Court.

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

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

ORDER

This writ petition has been filed challenging the renewal of passport granted by the first respondent only for a period of one year and for consequential direction to the first respondent to re-issue the passport for the regular period within the time frame fixed by this Court.

2. Heard Mr.I.Abdul Basith, the learned counsel for the petitioner and Mr.E.Dilliraj, the learned Central Government Standing Counsel for the 1st respondent and Mr.V.Meganathan, the learned Government Advocate (Crl. Side) for the 2nd respondent.

3. The petitioner approached this Court and filed a writ petition in W.P.No.5148 of 2025, and the said writ petition was disposed of by an order dated 17.02.2025 in the following terms,

*“2. The grievance of the petitioner is that he
submitted an application in file*



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No.MA2077106657924 for renewal of his passport.

While so, upon receiving an adverse police report that one criminal case viz., in C.C.No.73 of 2024 is pending before the VII Metropolitan Magistrate, George Town, Chennai, for the alleged offences under Sections 142,147, 149, 353, 427, 294 (i) and 506 (ii) of IPC, the 1st respondent authority has passed the impugned order, not granting the renewal of the passport.

3. The learned counsel for the petitioner would submit that the matter is no longer res integra. The Division Bench of this Court had considered the cases relating to FIR in W.A.(MD) No.301 of 2018 and held that mere pendency of a FIR cannot be termed as criminal case. Thereafter, an yet another Division Bench in W.A.No.902 of 2023 in Regional Passport Officer Vs. Samsudeen Mohamed Salih and Others, had considered the question with reference to the cases in which the charge sheet is filed and is taken on file and pending before the Criminal Court. The Division Bench has held that the bar under the relevant rules that are framed by the Government of India is with reference to travelling abroad and the



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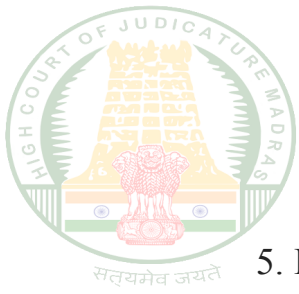
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very issue of passport or renewal thereof itself need not be stopped and the appropriate investigating authority can always keep a tab on the concerned petitioner and only if the petitioner wants to travel to abroad, the petitioner has to seek permission of the Court.

4. In this case, it can be seen that the criminal case is pending before the appropriate Court. In view of the dictum laid down by the Division Bench of this Court, the respondents are directed to process the application and renew the passport of the petitioner. However, for travelling to abroad, the petitioner has to seek permission of the concerned Court and then only, he can leave the country. The 1st respondent shall complete the above exercise, within period of four weeks from the date of receipt / production of the website uploaded copy of the order, without waiting for the certified copy.”

4. Pursuant to the above order, the first respondent has renewed/re-issued the passport in favour of the petitioner only for a period of one year. Aggrieved by the same, the present writ petition has been filed before this Court.



5. In the considered view of this Court, the renewal of the passport should have been done for the regular period of ten years. This Court had made it clear even in the previous order that if the petitioner wants to travel abroad, he has to necessarily seek permission of the Court and only thereafter leave the Country. Therefore, merely because the passport is renewed/re-issued for a period of ten years, that does not mean that the petitioner can automatically leave the country.

6. In view of the above, there shall be a direction to the first respondent to renew/re-issue the passport for the regular period and complete the process within a period of 4 weeks from the date of receipt of a copy of this order. This writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

26-08-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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