



W.P.No.34731 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 27.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.34731 of 2024

Mohammed Salauddin Ayub

... Petitioner

Vs.

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

2. The Inspector of Police,
H5, Washermenpet Police Station,
New Washermenpet, Chennai.

(R2 impleaded as per order dated 27.01.2025
in WMP No.2736/2025 in W.P.No.34731/2024.)

... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus, directing the respondent to re-issue passport to the petitioner by considering the passport application in file No.MA2076921881724, dated 07.09.2024 and representation dated 08.10.2024 of the petitioner within a time frame fixed by this court.



W.P.No.34731 of 2024

For Petitioner : Mr.K.Nizamuddin
For Respondents : MsA.Anuradha, CGSC, for R1
Mr.L.Baskaran, Govt.Adv. (Crl.Side)
for second respondent

ORDER

The petitioner herein seeks a direction to the first respondent to re-issue the passport by considering his representation dated 08.10.2024, within a time frame stipulated by this court.

2. The petitioner herein filed an application in file No. MA2076921881724, dated 07.09.2024 before the first respondent, seeking re-issuance of passport under Tatkkal scheme. Though the petitioner applied under Tatkkal scheme, the same has not been considered, within the prescribed time. Therefore, the petitioner submitted a representation dated 08.10.2024, requesting the first respondent to consider the re-issue of passport and till date, it has not been not considered. Hence, he has come before this court with the above said prayer.



W.P.No.34731 of 2024

WEB COPY

3. The learned Government Advocate (Crl.side) appearing for the second respondent filed a status report stating that the petitioner involved in the following criminal cases.

<i>Sl.No</i>	<i>Police Station, Crime No., U/s.</i>	<i>Stage of the case</i>
1	H-1 Washermenpet police station, in Crime No.79 of 2020, u/s 143, 188 of IPC & 41 TN(VI) TNCP Act	As per the Home (Courts-IV) Department Government Order (Ms) No.368, dated 04.09.2021, this case was withdrawn.
2	H-1 Washermenpet police station, in Crime No.190/2020, u/s 143, 145, 147, 290 IPC & 4(6), 71(A)(i) TNCP Act & 4-B r/w 4A(1A) of Tamilnadu Open Place Disfigurement Act 1959	As per the Home (Courts-IV) Department Government Order (Ms) No.368, dated 04.09.2021, this case was withdrawn
3	H-1 Washermenpet police station, in Crime No.146 /2020 u/s.143,147,151,290, 341 IPC & 41(VI) CP Act & 71(A)(i) TNCP Act & 4 A(1b) of Tamilnadu Open Place Disfigurement Act 1959.	Lathifulla/A6 filed the FIR quash petition before this Court in CrI.O.P.No.5647 of 2021 and the same was disposed entire Cr.No.146 of 2020 on 23.03.2021.
4	H-1 Washermenpet police station, in Crime No.139 /2020 u/s.143,147,148, 149, 188, 294(b), 324, 353, 336, 506(ii) IPC & 3 of TNPPDL Act & 41(VI) TNCP Act	Investigation completed. Final report yet to be filed before the concerned court.

4. A perusal of the above status report would establish that the case mentioned in Sl.No.1 and 2 were withdrawn by the Government



W.P.No.34731 of 2024

WEB COPY

by G.O.(Ms) No.368, dated 04.09.2021. The criminal case mentioned in Sl.No.3 was challenged by one of the accused before this court by filing quash petition in CrI.O.P.No.5647 of 2021 and same was disposed of on 23.03.2021.

5. The learned Government Advocate produced a copy of the order passed in the above said CrI.O.P.No.5647 of 2021, dated 23.03.2021, which would indicate that this court quashed the FIR in Crime No.146 of 2020.

6. As far as the case mentioned in Sl.No.4 is concerned, investigation was completed, however, final report has not been filed so far.

7. Therefore, as per the status report, as on today, there is no criminal case pending against the petitioner before the court in India within the meaning of Section 6(2)(f) of Passport Act. In such circumstance, there is no difficulty for the first respondent to process the application filed by the petitioner seeking renewal of passport.



W.P.No.34731 of 2024

WEB COPY

8. Accordingly, the first respondent is directed to process the application filed by the petitioner for renewal of passport and pass final orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

9. With the above direction, this writ petition is disposed of.
There shall be no order as to costs.

27.01.2025

(3/3)

Index:Yes/No
Internet:Yes/No
mst

To

1. The Regional Passport Officer,
Regional Passport Office,
Rayala Towers 2 & 3, IV Floor,
New No.158, Anna Salai,
Chennai-2.
2. The Inspector of Police,
H5, Washermenpet Police Station,
New Washermenpet, Chennai.



WEB COPY



W.P.No.34731 of 2024

S.SOUNTHAR, J.

mst

W.P.No.34731 of 2024

**27.01.2025
(3/3)**