



W.P.No.10891 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 28.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.10891 of 2025

MUHAMMAD IBRAHIM SHAMSUDEEN

... Petitioner

Vs

1. THE REGIONAL PASSPORT OFFICE,
OLD NO. 85, NEW NO.158,
ROYALA TOWERS,
NO.243, 4TH FLOOR,
ANNA SALAI, MOUNT ROAD,
CHENNAI-600 002.

2. DISTRICT CRIME BRANCH POLICE,
CRIME NO.15 OF 2015,
KANCHEEPURAM DISTRICT,
KANCHEEPURAM.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondent the Regional Passport Office at No. 158, Royala Towers, 243, 4th floor, Anna Salai Chennai - 600 002 to re-new the passport in Passport No.Z2963902 which has been lost and which was valid till 25.09.2024 and consider the application dated 19.11.2024 to issue a fresh passport to the petitioner by the first Respondent.

For Petitioner

: Mr.N.A.Kareem



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For R1 : Mr.T.L.Thirumalaisamy
Central Government Standing Counsel

For R2 : Mr.V.Meganathan
Government Advocate (Crl.Side)

ORDER

This writ petition is filed for a direction to the first respondent to renew the passport of the petitioner (passport No. Z2963902), which has been lost, by considering the petitioner's application dated 19.11.2024.

2. Upon hearing the learned counsel appearing for the petitioner as well as the learned counsel appearing for the respondents, it can be seen that the passport has not been reissued upon receiving an adverse police report against the petitioner.

3. The learned Government Advocate (Crl.Side) appearing on behalf of the second respondent submits that a criminal case is pending against the petitioner in C.C.No.413 of 2019 on the file of the Judicial Magistrate-II, Chengalpattu. Already, the Hon'ble Division Bench of this Court in ***Regional Passport Officer v. Samsudeen Mohamed Salih (W.A. No. 902 of 2023)*** has held that for the pendency of the criminal case, the issue of passport itself need not be withheld. However, the concerned person will only take the permission



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from the Court concerned before leaving the country.

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4. In view thereof, this writ petition is disposed of on the following terms:

(i) The first respondent shall consider the petitioner's application, de hors the pendency of the criminal case and if there is no other impediment, shall reissue the passport.

(ii) The above exercise shall be completed within eight weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order.

(iii) The petitioner shall take permission from Judicial Magistrate-II, Chengalpattu, in CC No. 413 of 2019 before leaving abroad. No costs.

28.03.2025

Neutral Citation: Yes/No
nsl

D.BHARATHA CHAKRAVARTHY, J.



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nsi

To

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