



WP No. 41223 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 41223 of 2025

SILAMBARASAN

S/o.Chinnadurai, 2/193 South Street,
Nochikulam village and post, Alathur
Taluk, Perambalur District - 621713.

Petitioner(s)

Vs

1. The Regional Passport Officer
Regional Passport Office,
New Municipal Complex,
Thillainagar 7th Cross,
Tiruchirappalli,
Tamil Nadu 620 018.

2.The Superintendent of Police
Office of the Superintendent Of Police,
Perambalur.

3.The Inspector Of Police
Kunnam Police Station, Perambalur.

Respondent(s)



PRAYER

This Writ Petition has been filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the 1st respondent herein to issue a normal valid passport to the petitioner, contemplated under the Passport Rules, 1980 pursuant to the petitioner's application No. 251001379251.

For Petitioner(s): Mr.R.Rajasekar

For Respondent(s): Mr.J.Rajesh for R1
Mr.S.Balaji,
Government Advocate (Crl.Side)
for R2

ORDER

This Writ Petition has been filed seeking for a direction to the first respondent herein to issue a normal valid passport to the petitioner, contemplated under the Passport Rules, 1980 pursuant to the petitioner's application No. 251001379251.

2.The case of the petitioner is that the petitioner applied for a fresh normal passport with the 1st respondent in application No.251001379251. However, the first respondent has kept the application pending without issuing the passport to the petitioner stating that a criminal case is pending against the petitioner before the third respondent in Crime No.409 of 2024 for the offences



under Section 303(2) of BNS, 21(1) of Mines and Minerals Act and Section 181(4) of the Motor Vehicles Act and further, the first respondent has directed the petitioner to apply for passport after the completion of the criminal proceedings pending before the third respondent.

3. Thereafter, the petitioner has made a representation on 01.09.2025 to the first respondent stating that in the FIR pending before the third respondent, no charges were framed against the petitioner and there is no other criminal proceedings pending against the petitioner before any criminal courts in India. However, the first respondent is yet to consider the application of the petitioner in application no.251001379251 and issue passport to the petitioner. Hence, the present Writ Petition.

4. The learned counsel for the petitioner would submit that mere pendency of FIR cannot be a basis for denial of passport to the petitioner. In support of his contention he relied on a Judgment of this Court in *W.Jaihar William Vs. State of Tamil Nadu* reported in (2014) 8 MLJ 61, wherein, this Court has held that



refusing to issue a valid passport by stating the pendency of FIR is totally illegal. Hence, he prayed that a direction be issued to the first respondent to issue passport to the petitioner, by considering the petitioner's application.

5.The learned counsel for the first respondent would submit that the application of the petitioner in application no.251001379251 would be considered within a time frame as fixed by this Court.

6.Heard the learned counsel for the petitioner and the learned counsel for the respondent and perused the materials available on record.

7.Considering the facts and circumstances of the case, the first respondent is now directed to consider the application of the petitioner in application no.251001379251 and pass appropriate orders, within a period of four (4) weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioner.



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8. The Writ Petition is disposed of accordingly. No costs.

05-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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Thillainagar 7th Cross,
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M.DHANDAPANI J.

Tsg

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