



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-08-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 40012 of 2024

1. Showkath Ali
S/o.Khader Mohideen, No.237d,
13d, Sathiyannarayan Street,
Swarnapuri, Salem 636 004.

2.Fathima Shameen
W/o.Showkath Ali No.237d, 13d,
Sathiyannarayan Street,
Swarnapuri, Salem 636 004.

Petitioner(s)

Vs

1. The Regional Passport Officer
O/o.Regional Passport Office, 1st
Floor, Corporation Commercial
Complex, Opp.
Thandumariamman Kovil,
Avinashi Road, Coimbatore-641
018.

2.Inspector Of Police
Anti Land Grabbing Special Cell,
Salem City, Salem.

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the
issuance of writ of Mandamus directing the 1st respondent to renew



the passports bearing No. H 9852223 of the 1st petitioner and passport No.J 3600788 of the 2nd petitioner by considering the representation dated 27.11.2024 of the petitioners within a time frame stipulated by this Court.

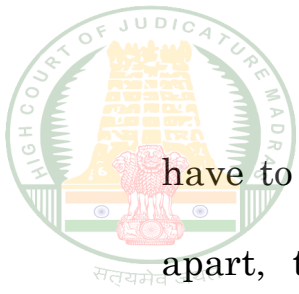
For Petitioner(s): M/s. S.Lakshmikanth
For M/s.
Respondent(s): R.Subramaniyan(ACGSC)
For R1 Memo Dt. 07/1/25
Mr. V.Meganathan,
Government Advocate (crl.
Side) For R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to act upon the applications submitted by the petitioners seeking for renewal of their passports.

2. When the matter was taken up for hearing today, the learned Government Advocate appearing on behalf of the 2nd respondent submitted that a case is pending against the petitioners in CC No.889 of 2023 on the file of Judicial Magistrate No.II, Salem.

3. Insofar as the 1st respondent is concerned, a counter affidavit has been filed. In the Counter affidavit, it has been stated that since a criminal case is pending against the petitioners, they

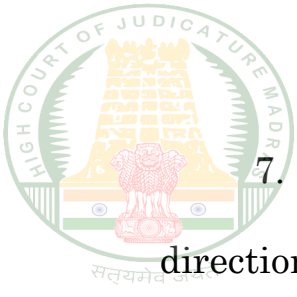


have to get No objection certificate from the concerned Court. That apart, the 1st respondent has also taken a stand that the 2nd petitioner has not even submitted an application seeking for renewal.

4. This Court has carefully considered the submissions made on either side and also perused the materials available on record.

5. In the considered view of this Court, the mere pendency of a criminal case cannot be a ground to deny renewal of passport. The law on this issue was spelt out by the Division Bench of this Court in WA No.902 of 2023 dated 02.06.2023. If at all, the petitioners want to move out of India, they have to seek for necessary permission before the Court.

6. In view of the above, there shall be a direction to the 1st respondent to process the application submitted by the 1st petitioner and renew the passport for the regular period, if the 1st petitioner has satisfied all the other requirements. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order.



7. Insofar as the 2nd petitioner is concerned, there shall be a direction to the 2nd petitioner to submit a fresh application, which shall be processed and the passport shall be renewed for the regular period, if the 2nd respondent satisfies the necessary requirements.

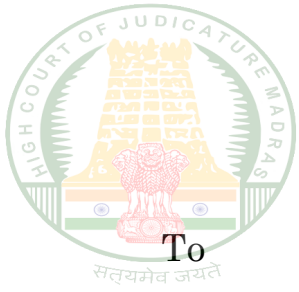
8. It goes without saying that if the petitioners want to move out of the country, they have to seek for permission from the concerned Court.

9. This writ petition is disposed of with the above directions.
No costs.

14-08-2025

rka

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



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To

WEB C.T.N

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