



WEB COPY



W.P.No.38542 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 10.10.2025**

CORAM :

**THE HONOURABLE MR. JUSTICE M. DHANDAPANI**

**W.P.No.38542 of 2025**

Rahul Dinesh Surana

... Petitioner

Vs.

1.The Regional Passport Officer,  
Office of the Regional Passport Officer,  
Royala Towers, No.2 & 3, IV Floor,  
Anna Salai, Chennai – 600 002.

2.Union of India,  
Represented by The Serious Fraud Investigation Office,  
Ministry of Corporate Affairs,  
Government of India, Corporate Bhawan,  
Ground Floor No.29, Rajaji Salai, Chennai – 600 001.

3.The Directorate of Enforcement,  
Represented by its Assistant Director,  
2<sup>nd</sup> & 3<sup>rd</sup> Floor, C Block, Murugesu Naicker Complex,  
No.84, Greaves Road, Thousand Lights, Chennai – 600 006.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the learned XV Additional City Civil Court, Chennai / Special Court for trial of SFIO Cases to forthwith return the petitioner's original expired passport bearing No.K7200676 to the petitioner's custody for the purpose of renewal and consequentially direct the 1<sup>st</sup> respondent, The Regional Passport Officer, Chennai, to process the petitioner's application (File No.MA2075511438125) and reissue the passport forthwith upon production of the expired passport, in accordance with law.



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For Petitioner : Mr.B.Kumar  
Senior Counsel  
for M/s.J.Vishnu Vardhan

For Respondents : Mr.K.B.Arul  
Additional Central Government  
Standing Counsel [R1]  
Mr.K.Subbu Ranga Bharathi  
Central Government Counsel R2]  
Mr.N.Ramesh  
Special Public Prosecutor [R3]

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### **ORDER**

The petitioner has filed this Writ Petition seeking a Writ of Mandamus, to direct the learned XV Additional City Civil Court, Chennai/Special Court for trial of SFIO Cases to forthwith return the petitioner's original expired passport bearing No.K7200676 to the petitioner's custody for the purpose of renewal and consequently, to direct the 1<sup>st</sup> respondent, The Regional Passport Officer, Chennai, to process the petitioner's application (File No.MA2075511438125) and reissue the passport forthwith upon production of the expired passport, in accordance with law.

2. Mr.K.B.Arul, learned Additional Central Government Standing Counsel, accepts notice on behalf of the 1<sup>st</sup> respondent, Mr.K.Subbu Ranga Bharathi, learned Central Government Counsel, accepts notice on behalf of the



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2<sup>nd</sup> respondent and Mr.N.Ramesh, learned Special Public Prosecutor, accepts notice on behalf of the 3<sup>rd</sup> respondent. In view of the consent expressed by the parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner has applied for renewal of his passport before the 1<sup>st</sup> respondent. While processing his application, the 1<sup>st</sup> respondent refused to renew the passport on the ground that his original expired passport was not produced and therefore, directed the petitioner to produce the original expired passport before the 1<sup>st</sup> respondent. Since the original expired passport was produced before the learned XV Additional City Civil Court, Chennai/Special Court for trial of SFIO Cases, for the cases in Spl.C.C.Nos.9 of 2022 and 3 of 2023, the petitioner was not able to produce the same before the 1<sup>st</sup> respondent. Hence, the petitioner has filed this writ petition before this Court for appropriate orders.

4. The learned Senior Counsel appearing for the petitioner submitted that the petitioner is an accused in Spl.C.C.Nos.9 of 2022 and 1 of 2023 on the file of the learned XV Additional City Civil Court, Chennai/Special Court for trial of SFIO Cases, in which, the petitioner has surrendered his original



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expired passport, thereby he was not able to produce the same before the 1<sup>st</sup> respondent when the same was directed by the 1<sup>st</sup> respondent. However, on instructions, the learned Senior Counsel submitted that immediately after the renewal of the passport, the petitioner is ready and willing to surrender the same before the Trial Court, hence, there will be no impediment for the 1<sup>st</sup> respondent to renew the passport. Accordingly, he prays for appropriate orders.

5. The learned Additional Central Government Standing Counsel appearing for the 1<sup>st</sup> respondent submitted that the criminal proceedings are pending against the petitioner and that if the renewal is granted, there are chances of the petitioner absconding from the country. Accordingly, he prays for dismissal of this writ petition.

6. In the considered view of this Court, the mere renewal of the passport may not require the permission of the Court where criminal proceedings are pending. A useful reference can be made to the judgment of this Court in W.A.No.902 of 2023, wherein this Court has held that permission is required only when the accused person wants to leave India.



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**WEB COPY** 7. In view of the above, there shall be a direction to the 1<sup>st</sup> respondent to act upon the petitioner's application and renew the passport for the regular period, if it is otherwise in order, within a period of four (4) weeks from the date of receipt of a copy of this order.

8. It is abundantly clear that mere renewal of the passport will not enable the petitioner to leave India. If the petitioner wants to leave India, he has to necessarily approach the concerned Court and seek for the permission and the same will be considered on its own merits and in accordance with law.

9. The Writ Petition is disposed of in the above terms. No costs.

**10.10.2025**

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

To

1. The Regional Passport Officer,  
Office of the Regional Passport Officer,  
Royala Towers, No.2 & 3, IV Floor,  
Anna Salai, Chennai – 600 002.



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**M.DHANDAPANI, J.**

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2.The Serious Fraud Investigation Office,  
Ministry of Corporate Affairs,  
Government of India, Corporate Bhawan,  
Ground Floor No.29, Rajaji Salai, Chennai – 600 001.

3.The Assistant Director,  
Directorate of Enforcement,  
2<sup>nd</sup> & 3<sup>rd</sup> Floor, C Block, Murugesu Naicker Complex,  
No.84, Greaves Road, Thousand Lights, Chennai – 600 006.

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