



WEB COPY

WP No. 44258 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 44258 of 2025

Ramesh Duraisamy

Petitioner(s)

Vs

1. Foreigners Regional Registration Office,
No. 26, Haddows Road,
Shastri Bhavan Annexe,
Nungambakkam, Chennai -600006.

2. Regional Passport office,
Tiruchirapalli, New Municipal Complex,
Thillainagar 7th Cross, Tiruchirapalli -620018.

3. The Inspector of Police,
Mangalamedu Police Station,
Perambalur District.

Respondent(s)

PRAYER; Petition filed under Article 226 of the Constitution of India, for issuance of Writs of Certiorarified Mandamus Calling for the records of the 2nd respondent in his proceedings vide Letter Reference No. OBJ/21071867/25 dated 08.03.2025 and quash the same and consequently direct the 2nd respondent to re-issue the passport to the petitioner within a time frame fixed by



this Honble court.

For Petitioner(s): Mr.G.Ilamurugu
For Respondent: Mr.K.K.Muralitharan, CGC
RR1 & 2
Mr.S.Balaji, GA (Crl side)
R3

ORDER

This petition has been filed seeking to quash the impugned orderthe 2nd respondent in his proceedings vide Letter Reference No. OBJ/21071867/25 dated 08.03.2025 and quash the same and consequently direct the 2nd respondent to re-issue the passport to the petitioner within a time frame fixed by this Honble court.

2. It is the case of the petitioner that the petitioner made application for renewal of passport on 10.01.2025. On 30.09.2025 the second respondent issue a show cause notice stating that the second respondent had received an adverse police verification report stating that *the applicant is involved in a case in Cr.No.93 of 2023 on the file of the third respondent*". Therefore, the petitioner's application is kept pending without any progress and no final report has been passed so far. Hence, the petitioner has filed the present writ petition challenging the said impugned show cause notice dated 08.03.2025.

3. The learned counsel for the petitioner submitted that the issue involved



in the present Writ petition is no longer *res integra* and the similar issue has already been decided by the Hon'ble First Bench of this Court in WA. No.902/2023 dated 02.06.2023 wherein this Court held that mere pendency of the criminal case is not a bar for renewal of the passport. If the person wants to travel abroad, he has to get necessary permission from the Court, where the criminal case is pending.

4. The learned counsel for the respondents 1 & 2 has not objected the submissions made by the learned counsel for the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the fact that the petitioner has made application for issuance of passport and the same is kept pending without any progress. In this background, the learned counsel for the petitioner relied upon the decision rendered by the Hon'ble First Bench of this Court in WA.902 of 2023 dated 02.06.2023.

7. This Court perused the judgment passed by this Court and the relevant paragraphs are extracted herein;

*"5. A Division Bench of the Bombay High Court, in the case of **Abbas Hatimbhai Kagalwala v. State of Maharashtra and another, 2022 SCC OnLine Bom 1992**, to which one of us (S.V.Gangapurwala, CJ.) was a party, has followed the judgment of the Apex Court*



WEB COPY



in the case of **Vangala Kasturi Rangacharyulu**, *supra* and directed the respondent therein to process the application of the petitioner for renewal of the passport.

6. The contention of learned counsel for the appellant that the first respondent cannot travel abroad without the permission of the Court where the criminal case is pending, would not be an impediment for the passport authority to consider the application for renewal of the passport. No doubt, if the first respondent has to travel abroad and the criminal case is pending, then unless the Magistrate or the Sessions Court where the criminal case is pending permits the first respondent to travel abroad, he cannot travel abroad.

7. In the light of the above, we pass the following order:

(i) The writ appellant shall process the application of the first respondent for renewal of passport without insisting for permission of the Court, where a criminal case is pending against the first respondent. If the first respondent is travelling abroad, then the first respondent would be required to seek permission from the Court where the criminal case is pending.

(ii) Decision shall be taken as above, within one month."

8. Since the present issue is also one and the similar, therefore, following the said Judgment of this Court, the following orders are passed:

"(i) The impugned show cause notice issued by the second respondent is set aside and the second respondent is directed



to process the application of the petitioner without insisting the permission of the Court, as there is no criminal case pending against the petitioner before any Court.

(ii) If the petitioner wants to travel abroad, the petitioner would be required to seek permission from the Court where the case is pending or from this Court, if no case as yet has been filed, by filing appropriate application.”

9. With the above observations and directions, the writ petition is allowed. No costs.

19-11-2025

Rli

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WEB COPY

WP No. 44258 of 2025



M.DHANDAPANI J.
rli

To

1.Foreigners Regional Registration Office,
No. 26,Haddows Road, Shastri Bhavan
Annexe, Nungambakkam,
Chennai -600006.

2.Regional Passport Office,
Tiruchirapalli, New Municipal
Complex, Thillainagar 7th Cross,
Tiruchirapalli -620018.

3.The Inspector Of Police,
Mangalamedu Police Station,
Perambalur District.

WP No. 44258 of 2025



WEB COPY

WP No. 44258 of 2025



19-11-2025



WEB COPY

WP No. 44258 of 2025

