



W.P.(MD)No.1095 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.01.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.1095 of 2025

Gandhimathi

... Petitioner

Vs.

1.The Regional Passport Officer,
Madurai, Bharathi Ula Veethi,
Race Course Colony, Madurai – 625 002.

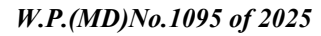
2.The Passport Officer,
Passport Seva Kendra,
Claret Plaza, Melakkal Main Road,
Kochadai, Madurai – 625016.

3.The Inspector of Police,
Tirumangalam Taluk Police Station,
Madurai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to renew the passport for 10 years by processing the application in MD1076393899544 dated 25.03.2024, based on his representation or clarification dated 06.11.2024.

For Petitioner	: Mr.A.V.R.Krishnakanth
For Respondents 1 & 2	: Mr.V.Maliyendran Central Government Standing Counsel
For 3 rd Respondent	: Mr.K.Gnanasekaran Government Advocate (Crl)



The prayer in the Writ Petition reads as follows:-

4. Heard the learned counsels on either side and carefully perused the entire materials available on record.



W.P.(MD)No.1095 of 2025

WEB COPY

5.The petitioner is given liberty to move the learned Judicial Magistrate Court, Thirumangalam, Madurai District, for the relief now sought for. As and when such miscellaneous petition is filed, it shall be numbered and disposed of within a period of three weeks thereafter. The learned Trial Judge shall bear in mind that right to travel abroad is a fundamental right. The petitioner's career and avocation may be at stake if he is denied the right to go abroad. Therefore, the learned Trial Court unless there are extraordinary circumstances shall not deny relief. Of course, the period of validity of passport will have to be restricted. It is also open to the learned Trial Judge to stipulate appropriate conditions to ensure that the prosecution is not stalled on account of the petitioner-s absence from India. If necessary, the applicant can be directed to file an application under Section 228 of Bharatiya Nyaya Suraksha Sanhita, 2023, by executing a special vakalat.

6.Based on the order passed by the learned Trial Court, the petitioner shall move the jurisdictional Regional Passport Officer who shall dispose of the petition~mentioned application in terms of the said order.



W.P.(MD)No.1095 of 2025

7.This Writ Petition is allowed on these terms. There shall be no order as to costs.

22.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

- 1.The Judicial Magistrate, Thirumangalam, Madurai District.
- 2.The Regional Passport Officer,
Madurai, Bharathi Ula Veethi,
Race Course Colony, Madurai – 625 002.
- 3.The Passport Officer,
Passport Seva Kendra,
Claret Plaza, Melakkal Main Road,
Kochadai, Madurai – 625016.
- 4.The Inspector of Police,
Tirumangalam Taluk Police Station,
Madurai District.



WEB COPY



W.P.(MD)No.1095 of 2025

L.VICTORIA GOWRI, J.

Mrn

W.P.(MD)No.1095 of 2025

22.01.2025