



W.P.(MD)No.1322 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.1322 of 2025

Saroja Gurusamy

: Petitioner

Vs.

1. The Regional Passport Officer,
Tiruchirappalli.

2. The Immigration Officer,
Trichy International Airport,
Tiruchirappalli.

3. The Inspector of Police,
Trichy Airport Police Station,
Tiruchirappalli.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent No. 1 to issue the Indian Passport bearing Passport No.X9514375 to the petitioner issued by the first respondent on 22.06.2023 in favour of the petitioner.

For Petitioner : Mr.K.Kishore Kumar



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For Respondents : Mr.S.Pon Senthilkumaran

CGSC for R1

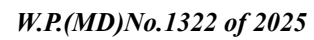
Mr.K.Gnanasekaran

Government Advocate (Crl.Side) for R2

ORDER

This writ petition has been filed for issuance of a writ of mandamus, directing the first respondent to issue the Indian Passport bearing Passport No.X9514375, which was seized by the first respondent on 22.06.2023, to the petitioner.

2.The case of the petitioner is that when she attempted to travel to Malaysia on 29.09.2024, she was intercepted by the Immigration Officer on the grounds that her date of birth and place of birth had been changed in comparison to the details in her earlier passport bearing No. T2142316. Additionally, it was found that a criminal case in Crime No. 329 of 2024 had been registered against her under Sections 336(3) and 340(2) of the BNS, 2023, and Section 12(1)(b) of the Indian Passport Act. The petitioner further claims that, being illiterate, she was instigated by an agent to sign the relevant documents without understanding the



3. When the matter was taken up for hearing today, the Government Advocate (Crl. side) appearing on behalf of the respondent, by producing a status report dated 13.02.2025, stated that the petitioner is having two passports under her name and that, after using the earlier passport, she had obtained a new passport by using the same date of birth and place of birth, which is punishable under the Indian Passport Act, 1967. In this regard, an FIR has been registered No.329 of 2024 for offences punishable under Sections 336(3), Section 12(1)(b) of the Indian Passport Act, 1967 and Section 449A, Cr.P.C., 1973 and Section 12(1)(b) of the Indian Passport Act, 1967. The Government Advocate further submitted that the petitioner's passport, which was seized during the investigation, was handed over to the Judicial Magistrate No.VI, Tiruchirappalli.

<https://www.mhc.tn.gov.in/judis>



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5. Taking into consideration the facts and circumstances of the case and also considering the nature of allegation against the petitioner, the prayer as sought for by the petitioner cannot be granted at this stage. However, the petitioner is at liberty to approach the Judicial Magistrate Court No.VI, Tiruchirappalli, to redress her grievance.

6. Accordingly, this writ petition stands disposed of. There shall be no order as to the costs.

14.02.2025

Index : Yes / No

Internet : Yes / No

PKN



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VIVEK KUMAR SINGH, J.

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