



W.P.(MD)No.2251 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 30.01.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.2251 of 2025

Selvendran

... Petitioner

Vs.

1.The Regional Passport Office,
Madurai, Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

2.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to renew the petitioner's passport in Passport No.F8909181 in reference to the file No.MD1076599742124 dated 05.12.2024, pending on the file of the first respondent authorities.

For Petitioner	: Mr.R.Vinoth
For 1 st Respondent	: Mr.P.Sundaravadivel Central Government Standing Counsel
For 2 nd Respondent	: Mr.K.Gnanasekaran Government Advocate (Crl)

ORDER

The prayer in the Writ Petition reads as follows:-

"To issue a Writ of Mandamus, directing the 1st



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respondent to renewal the petitioner's passport in Passport No.F8909181 in reference to the file No.MD1076599742124 dated 05.12.2024, pending on the file of the first respondent authorities."

2.The petitioner is the holder of Passport No.F8909181 and it expired on 10.07.2016. The petitioner has made an application in File No.MD1076599742124, for re-issuance of passport. While so, on receipt of adverse police verification report, the 1st respondent had issued a letter dated 05.12.2024, required an explanation from the petitioner. Hence, this Writ Petition is filed to direct the first respondent to renew the petitioner's passport.

3.The learned Government Advocate (Crl.) appearing for the 2nd respondent on instructions would submit that Crime No.58 of 2024 culminated in laying charge sheet in S.T.C.No.369 of 2023 before the learned District Munsif cum Judicial Magistrate, Kamuthi, Ramanathapuram District.

4.Heard the learned counsel appearing for the petitioner, the learned Central Government Standing Counsel for the 1st respondent, the learned Government Advocate appearing for the 2nd respondent and carefully perused the entire materials available on record.



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5.The petitioner is given liberty to move the learned District Munsif cum Judicial Magistrate, Kamuthi, Ramanathapuram 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.



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

30.01.2025

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

To

- 1.The District Munsif cum Judicial Magistrate, Kamuthi,
Ramanthapuram District.
- 2.The Regional Passport Office,
Madurai, Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.
- 3.The Inspector of Police,
Kamuthi Police Station,
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L.VICTORIA GOWRI, J.

Mrn

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