



**W.P.(MD)No.3138 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 07.02.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH**

**W.P.(MD)No.3138 of 2025**

Sureshkumar

... Petitioner

-VS-

The Regional Passport Officer,  
Office of the Regional Passport Office,  
Bharathi Ulla Veedhi, Race Course Road,  
Madurai - 625 002.

... Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to issue the renewal of passport considering the petitioner's online application in File No.MD 1077198369124, dated 10.12.2024, on the file of the respondent, within the time stipulated by this Court.

For Petitioner : Mr.V.Selvakumar

For Respondent : Mr.S.Pon Senthil Kumar  
Central Government Standing Counsel



**W.P.(MD)No.3138 of 2025**

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**ORDER**

Heard both sides.

2. The petitioner seeks renewal of passport. He has submitted an application before the jurisdictional passport officer. Apprehending that it may not be processed in view of his involvement in a criminal case, the present writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Central Government Standing Counsel appearing for the respondent submitted that the following criminal cases have been registered against the petitioner.

| Sl. No. | Crime No.   | Police Station                                           |
|---------|-------------|----------------------------------------------------------|
| 1.      | 684 of 2020 | Manamadurai Town Police Station, Sivagangai District.    |
| 2.      | 117 of 2023 | Sipcot Police Station, Manamadurai, Sivagangai District. |
| 3.      | 195 of 2020 | Sipcot Police Station, Manamadurai, Sivagangai District. |
| 4.      | 171 of 2020 | Sipcot Police Station, Manamadurai, Sivagangai District. |

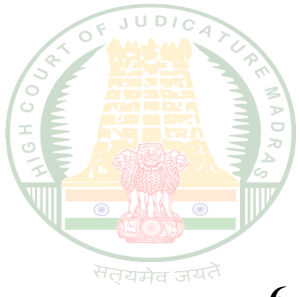


**W.P.(MD)No.3138 of 2025**

WEB COPY

4. In view of the above said submission, the petitioner is given liberty to move the trial Court 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 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 205 of Cr.P.C. by executing a special Vakalat.

5. Based on the order passed by the 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.3138 of 2025**

WEB COPY

6. This writ petition is disposed of accordingly. There shall be no order as to costs.

NCC : Yes / No

Index : Yes / No

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**W.P.(MD)No.3138 of 2025**

**VIVEK KUMAR SINGH, J.**

smn2

**W.P.(MD)No.3138 of 2025**

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