



W.P.(MD)No.4521 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4521 of 2025

Seeni Sikkandar

: Petitioner

Vs.

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

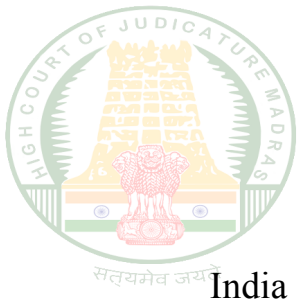
2. The Commissioner of Police,
O/o. the Commissioner of Police,
Madurai City.

3. The Inspector of Police,
O/o. the Inspector of Police,
Thallakulam Police Station,
Madurai City.

4. The Inspector of Police,,
O/o. the Inspector of Police,
Silaiman Police Station,
Madurai District

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of



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India for issuance of Writ of Mandamus, to direct the Respondent No. 1 to Renew the Passport to the petitioner by considering his explanation dated 10.02.2025 .

For Petitioner : Mr.SMA Jinnah

For Respondents : Mr.C.Nandagopal

CGSC for R1

Mr.K.Gnanasekaran

Government Advocate (Crl.Side)

for R2 to R4

ORDER

This writ petition has been filed for issuance of a writ of mandamus, to direct the first respondent to renew the petitioner's passport by considering his explanation dated 10.02.2025.

2.The petitioner has made an application in File No. MD1077267164725, to renew his passport. However, upon receiving an adverse police verification report, the first respondent refused to issue the passport. Hence, this Writ Petition has been filed by the petitioner.



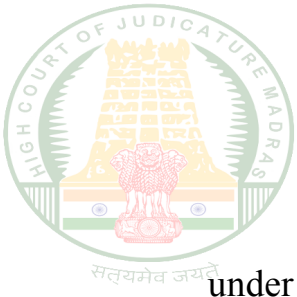
W.P.(MD)No.4521 of 2025

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3. The learned Government Advocate (Crl.) appearing for the second respondent, on instructions, submitted that Crime Nos.137 and 1370 of 2019 culminated in laying charge sheet in E-Filing No. 202400356, before the learned Judicial Magistrate No.II, Madurai.

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

5. The petitioner is given liberty to move the learned Judicial Magistrate No.II, Madurai, 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



W.P.(MD)No.4521 of 2025

WEB COPY

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.

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

12.03.2025

Index : Yes / No

Internet : Yes / No

PKN



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VIVEK KUMAR SINGH, J.

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