



W.P.(MD)No.13053 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.13053 of 2025

Nagarajan

: Petitioner

Vs.

1. The Regional Passport Officer,
Regional Passport Office,
New Trichy Municipal Office Building,
Thillai Nagar 7th Cross,
Trichy-620 018.

2. The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to renew the Petitioner's Passport in passport No.L9605489 in reference to the reopening of the petitioner's application No.TR2076466902924 dated 17.04.2024 pending on the file of the 1st respondent Authorities, by considering the petitioner's representation dated 21.04.2025 .

For Petitioner : Mr. E.Balasubramanian



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For Respondents : Mr.T.Lenin Kumar

CGSC for R1

Mr.K.Gnanasekaran

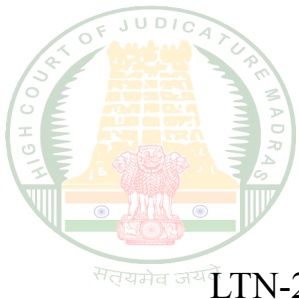
Government Advocate (Crl.Side)
for R2

ORDER

This writ petition has been filed for issuance of a writ of mandamus, directing the first respondent to renew the passport of the petitioner in Application No.TR2076466902924, dated 17.04.2024, within the time stipulated by this Court.

2.The petitioner has made an application in File No.TR2076466902924, for renewal of 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.

3. The learned Government Advocate (Crl.) appearing for the second respondent, on instructions, submitted that Crime No.161 of 2020 has culminated in laying charge sheet in E-filing



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LTN-20220002317C202400056 dated 11.05.2024, before the learned Judicial Magistrate, Thirumayam, Pudukottai District.

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, Thirumayam, Pudukottai 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.



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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 the above terms. There shall be no order as to costs.

29.04.2025

Index : Yes / No

Internet : Yes / No

PKN



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3. Learned Judicial Magistrate, Thirumayam, Pudukkottai District.



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VIVEK KUMAR SINGH, J.

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