



W.P.(MD) No.13925 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.07.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.13925 of 2025

E.Nagasubramaniyan

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillai Nagar 7th Cross,
Thiruchirapalli – 620 018.

2.The Inspector of Police,
Karaiyur Police Station,
Pudukottai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned letter in Ref.No.TR2076518122724 dated 04.06.2024 passed by the first respondent and quashing the same and consequently directing the first respondent to allow my application dated 06.05.2024 and renewal of the petitioner's Passport No.M0780996.

For Petitioner : Mr.P.Venkatesan

For R1 : Mr.V.B.Sundhareshwar
Central Government Standing Counsel



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For R2

: Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)

ORDER

This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned letter in Ref.No.TR2076518122724, dated 04.06.2024, issued by the first respondent, and to quash the same, and consequently, to direct the first respondent to consider and allow the petitioner's application dated 06.05.2024 and to renew the petitioner's Passport No.M0780996.

2. It is informed that the petitioner is the first accused in Crime No. 171 of 2021, dated 22.07.2021, registered by the second respondent police for the alleged offences punishable under Section 379 of the Indian Penal Code, 1860, and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957. The petitioner is also arrayed as the second accused in Crime No.26 of 2023, registered by the second respondent police for the same offences.

3. It is informed by the learned Government Advocate appearing for the second respondent police that although the charge sheet has been



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prepared, the same has not yet been filed in the respective cases against the petitioner.

4. The learned Central Government Standing Counsel appearing for the first respondent submits that a notice was issued to the petitioner on 04.06.2024, followed by a reminder dated 27.11.2024, and a proposal for file closure on 09.01.2025. Eventually, the file was closed on 05.03.2025, as the petitioner had failed to respond to the Show Cause Notice.

5. Having considered the submissions made by the learned counsel for the petitioner, the learned Central Government Standing Counsel appearing for the first respondent, and the learned Government Advocate appearing for the second respondent, this Court is of the view that Section 6(2)(f) of the Passports Act, 1967 would act as an embargo only in cases where proceedings are pending before the court of law. In the present case, no case is pending before any court against the petitioner. Therefore, there is no impediment to the renewal of the petitioner's passport, in the light of the decision of the Division Bench of this Court in ***Regional Passport Officer, Chennai vs. Samsudeen Mohamed Salih and another***, dated 02.06.2023, rendered in W.A. No.902 of 2023.



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6. Since the petitioner's application for renewal of the passport was closed as early as 05.03.2025, the petitioner is granted liberty to file a fresh application before the first respondent. In case such an application is filed by the petitioner, the same shall be processed in accordance with law, as no charge sheet has been filed against the petitioner in the above-mentioned Crime Numbers before the Court, and an appropriate order shall be passed for renewal of the petitioner's passport within a period of 30 days thereafter.

7. Accordingly, this Writ Petition stands disposed of. No costs.

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JEN

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

To

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2.The Inspector of Police,
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C.SARAVANAN, J.

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