

WP(MD)No.15091 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2025

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THE HONOURABLE MR JUSTICE C.SARAVANAN

W.P(MD)No.15091 of 2021

and

WMP(MD)No.12015 and 12020 of 2021

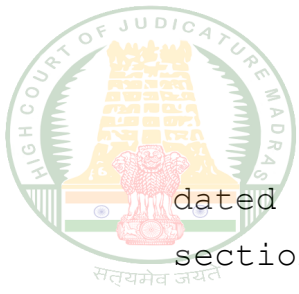
S.Ayyamani

: Petitioner

Vs.

- 1.The Additional Secretary (PSP) &
Chief Passport Officer,
Ministry of External Affairs,
PSP Division, Patiala House Annexe,
Tilak Marg,
New Delhi-110 001.
- 2.The Passport Officer,
Government of India,
Ministry of External Affairs,
Passport Office,
West Boulevard Road,
Near to Sri Kottai Muniswarar Koil,
Tiruchirappalli-620 008.
- 3.The Superintendent of Police,
Central Bureau of Investigation,
Economic Offences Wing,
A Wing, 3rd Floor, Rajaji Bhavan,
Besant Nagar, Chennai-600 090. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for records on the file of the first respondent in No.VII/402/App-157/2019,



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dated 25/06/2021 in not allowing the Appeal under section 11 of Passport Act by confirming the Order of Impounding of Passport G1915759 issued to the petitioner vide File No.PC00209/11, dated 04/01/2012 passed by the second respondent herein and quash the same and directing the second respondent to reissue new Passport for period of ten years to the petitioner herein without insisting of any conditions appearing in GSR No.570(E), dated 25/08/1993 in the new Passport and consequently permit the petitioner to travel abroad with permission of this court and pass such further or other orders.

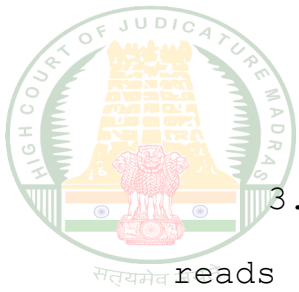
For Petitioner : Mr.S.Gokul Raj

For R1 and R2 : Mr.K.P.Krishnadas
Standing Counsel

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Standing counsel appearing for the respondents 1 and 2.

2.The petitioner has filed this writ petition against the impugned order, dated 25/06/2021 passed by the first respondent Appellate Authority under the provisions of the Passports Act, 1967.



3.The operative portion of the impugned order reads as under:-

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"6.And now, therefore, having gone through all the records and in the light of the full facts and circumstances of the case, I, as the Appellate Authority, as per the provisions u/s.11 of the Passports Act, 1967, dispose the appeal ex-parte as under:-

(i)Section 10(3) (e) of the Passports, Act, 1967 states that "The Passport Authority may impound or cause to be impounded or revoke a passport or travel document, if proceedings in respect of an offence alleged to have been committed by the holder of the passport or travel document are pending before a criminal court in India."

(ii)The Hon'ble High Court of Madras, Madurai Bench has only suspended the sentence of imprisonment. The Criminal Case No.47 of 2019 is still pending against the appellate before the Hon'ble High Court Madurai Bench.



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(iii) Therefore, action of the PO in rejecting the said passport application u/s.10(3)(e) of the Passports Act 1967 was found to be in order.

(iv) The appellant had preferred an appeal dated 19.10.2019, after a lapse of more than seven years from the date of issuance of impounded order dated 04.01.2012 without any convincing explanation for the undue delay.

(v) The impounded Passport No.G-1915759 dated 12.03.2007 has already expired on 11.03.2017.

(vi) The appellant is, however, at liberty apply for re-issue of passport which would be processed by the PO as per the Passport Act, 1967 and the Rules made thereunder and in terms of the provisions of G.S.R. 570(E), dated 25.8.1993 along with special court permission with prescribed undertaking so as to enable the PO to accommodate his request for reissuance of Passport subject to usual checks, procedures



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*and strictly on pre-police
verification basis.*

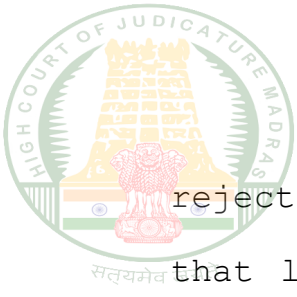
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(vii)The appeal is not allowed."

4.The impugned order itself reveals that the passport of the petitioner was impounded earlier, against which, the petitioner has filed an appeal before the first respondent. The passport of the petitioner was impounded on 04/01/2012 by exercising the power under section 10(3)(e) of the Passports Act, 1967.

5.The impugned order also records that the passport of the petitioner had already expired on 11/03/2017. The impugned order further states that liberty was granted to the petitioner for renewal of the passport, which would be processed by the Passport Officer as per the Passports Act, 1967 and the Rules made thereunder in terms of the provisions of G.S.R. 570(E), dated 25/08/1993.

6.As such, the petitioner has challenged the impugned order rejecting the appeal of the petitioner in the present writ petition. The impugned order



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rejecting the appeal of the petitioner itself records that liberty is granted to the petitioner for renewal of the passport. Therefore, the impugned order cannot be questioned by the petitioner, since the petitioner has also been given liberty, as it is evident from the operative portion of the impugned order.

7.In view of the above, this writ petition is liable to be dismissed and is accordingly **dismissed** with the liberty given by the 1st respondent, vide the impugned order. No costs. Consequently, connected Miscellaneous Petitions are closed.

19/08/2025

Internet :Yes/No
Index :Yes/No
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C . SARAVANAN , J

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