



W.P.(MD) No.16360 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.06.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.16360 of 2025

Karpagam Karuppaiah

... Petitioner

Vs.

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

2.The State through
The Inspector of Police,
Shanarpatti Police Station,
Shanarpatti, Dindigul District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the first respondent herein to re-issue the Passport under File No.MD1077138929324 to the petitioner herein, by considering the petitioner's explanation dated 05.06.2025, within a time frame as fixed by this Court.

For Petitioner : Mr.R.Suresh

For R1 : Mr.R.Senthil Kumar
Central Government Standing Counsel



WEB COPY



W.P.(MD) No.16360 of 2025

For R2

: Mr.M.Vaikam Karunanithi
Government Advocate
(Criminal Side)

ORDER

The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus, directing the first respondent to re-issue the passport under File No.MD1077138929324 to the petitioner, by considering the petitioner's explanation dated 05.06.2025, within a time frame to be fixed by this Court.

2. The petitioner is an accused in Crime No.82 of 2014, registered for the alleged offences punishable under Sections 147, 294(b), 323, 354, and 506(i) of the Indian Penal Code, 1860.

3. It is informed by the learned Government Advocate (Criminal Side), appearing for the second respondent police, that the charge sheet has been filed before the learned Judicial Magistrate No. III, Dindigul, but the same has not yet been taken on file.



W.P.(MD) No.16360 of 2025

WEB COPY

4. The prayer of the petitioner for renewal of the passport cannot be denied in the light of the decision of the First Bench of this Court in the case of ***The Regional Passport Officer, Chennai v. Samsudeen Mohamed Salih and another***, dated 02.06.2023, rendered in W.A. No. 902 of 2023, wherein it has been held as follows:

“6.The contention of learned counsel for the appellant that the first respondent cannot travel abroad without the permission of the Court where the criminal case is pending, would not be an impediment for the passport authority to consider the application for renewal of the passport. No doubt, if the first respondent has to travel abroad and the criminal case is pending, then unless the Magistrate or the Sessions Court where the criminal case is pending permits the first respondent to travel abroad, he cannot travel abroad.”

5. Under these circumstances, a positive direction is issued to the first respondent to renew the passport. However, the passport shall be surrendered before the learned Judicial Magistrate No. III, Dindigul. In case the petitioner proposes to travel, the petitioner may file an appropriate application before the concerned Magistrate for the release of the passport.



W.P.(MD) No.16360 of 2025

WEB COPY 6. Accordingly, this Writ Petition stands disposed of. No costs.

18.06.2025

JEN

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

Speaking Order / Non-Speaking Order

To

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

2.The Inspector of Police,
Shanarpatti Police Station,
Shanarpatti, Dindigul District.



WEB COPY



W.P.(MD) No.16360 of 2025

C.SARAVANAN, J.

JEN

W.P.(MD) No.16360 of 2025

18.06.2025