



W.P.(MD) No.15373 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.15373 of 2025

Premkumar

... Petitioner

Vs

1.The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillainagar 7th Cross,
Tiruchirappalli 620 018.

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

... Respondents

PRAYER: Writ Petition 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 Application No.TR2077231961724, dated 20.12.2024 by considering the petitioner's representation, dated 12.05.2025, within a reasonable/realistic time as stipulate by this Court.



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For petitioner : Mr. C.Karthikeyan

For respondents : Mr.A.Veluchamy

Central Government Standing Counsel for R1

Mr.K.Sanjai Gandhi

Government Advocate (Crl.Side) for R2

ORDER

This Writ Petition has been filed for a mandamus to direct the the first respondent to renew the petitioner's passport in Application No.TR2077231961724, dated 20.12.2024 by considering the petitioner's representation, dated 12.05.2025.

2. Heard the learned counsel for the petitioner, learned Central Government Standing Counsel for the first respondent and learned Government Advocate (Crl.Side) for the second respondent.

3. The learned Government Advocate (Crl.Side) for the second respondent submits that there are criminal cases pending against the petitioner and charges have been framed against the petitioner in S.T.C.No.373 of 2024, before the learned Judicial Magistrate, Thirumayam.



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4. In this connection, the Hon'ble Division Bench of this Court in ***The Regional Passport Officer, Chennai Vs. Samsudeen Mohamed Salih and another*** (W.A.No.902 of 2023, dated 02.06.2023), 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.

7.In the light of the above, we pass the following order: (i) The writ appellant shall process the application of the first respondent for renewal of passport without insisting for permission of the Court, where a criminal case is pending against the first respondent. If the first respondent is travelling abroad, then the first respondent would be required to seek permission from the Court where the criminal case is pending. (ii) Decision shall be taken as above, within one month.”

5. In view of the same, this Court is of the view that the renewal of passport merely on the ground of pendency of criminal case proceedings cannot be barred. Hence, there shall be a positive direction to the first respondent to renew the passport of the petitioner. However, before travelling abroad, the petitioner shall obtain suitable permission from the Authorities.



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6. This Writ Petition is disposed of, with the above directions. No costs.

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

apd

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