

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2025

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition(MD)No.16430 of 2025

K.Kasbin

..Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai.

2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the first respondent to issue passport to the petitioner on the basis of the petitioner's application dated 16.12.2024 pending in File No.MD2077215202124 before the first respondent.

For Petitioner : Mr.A.M.B.Mathu Balan

For Respondents : Mr.D.M.Balakrishnan (for R1)
Central Government Standing Counsel
: Mr.K.Sanjai Gandhi, (for R2)
Government Advocate (Crl. Side)

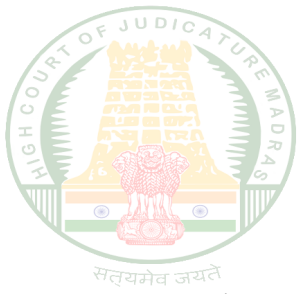


ORDER

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The petitioner has filed this writ petition on the strength of Section 6(2) of the Passport Act, 1967 and on the ground that only FIR has been lodged against the petitioner in Crime No.118 of 2018 and no other proceedings have been taken as against the petitioner. Pendency of the FIR cannot be the basis for denying the passport and hence, he prays for Mandamus to direct the first respondent to issue passport to the petitioner on the basis of the petitioner's application dated 16.12.2024 pending in File No.MD2077215202124 before the first respondent.

2.It is noticed that the learned Government Advocate (Crl. Side) for the second respondent Police submits that the petitioner is the first accused in the above said FIR in Crime No.118 of 2018, for the offences punishable under Sections 147,148, 452, 324, 294(b) and 506(2) of IPC and Section 4 of TN prohibition of Harassment of Women Act, 2002, and 3(1) of TNPPDL Act, 1992. The second respondent police has filed a final report and the same has been taken on file in C.C.No.136 of 2023 by the learned Additional Mahila Court (Magisterial Level), Nagercoil.



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3.Considering the same, there is no scope for granting any relief to the petitioner at this stage. However, it is open to the petitioner to approach the concerned Magistrate Court for appropriate relief to facilitate the first respondent to process his application for issuance of passport. In case, the passport is issued to the petitioner, the same shall be handed over to the learned Additional Mahila Court (Magisterial Level), Nagercoil, in C.C.No.136 of 2023.

4.Recording the same, this writ petition stands disposed of. There shall be no order as to costs.

19.06.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

vsg

To

1.The Regional Passport Officer,
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Race Course Road,
Madurai.

2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.



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C.SARAVANAN, J.

vsg

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