



W.P.(MD) No.17461 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.17461 of 2025

Dineshkumar

... Petitioner

/vs./

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai-2.

2.The Commissioner of Police,
O/o. Commissioner of Police,
Alagar Kovil Road,
Madurai.

3.The Assistant Commissioner of Police,
O/o. Assistant Commissioner of Police,
Keerathurai,
Madurai.

4.The Inspector of Police,
O/o. Inspector of Police,
Jaihindupuram,
Madurai.

... Respondents



W.P.(MD) No.17461 of 2025

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned letter vide proceeding Ref. No.SCN/1049285318/2025 dated 06.06.2025 and quash the same and consequential direct the 1st respondent to re-issue a fresh passport based on renewal application submitted by the petitioner vide Application No.25-1051985954 (File No.MD1075091050255) dated 19.05.2025 within a stipulated period that may be fixed by this Court.

For Petitioner : Mr.R.Vignesh
For R1 : Mr.C.Shanmuga Sundaram
CGSC
For R2 to R4 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)

ORDER

Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.side) takes notice for the respondents 2 to 4.

2.The petitioner has filed this writ petition challenging the letter bearing Ref. No.SCN/1049285318/2025, dated 06.06.2025 and for a consequential direction to the first respondent to re-issue a fresh passport, based on the renewal application submitted by the petitioner in Application No.25-1051985954 dated 19.05.2025.



W.P.(MD) No.17461 of 2025

WEB COPY

3.The petitioner is the 18th accused person in the FIR registered by the fourth respondent police station in Crime No.351 of 2025, dated 08.03.2025 for the offences under Section 189(2), 126(2) and 292 of the Bharatiya Nyaya Sanhita (BNS), 2023.

4.The learned Government Advocate (Crl.side) for the respondents 2 to 4 would submit that the FIR has been taken on file after the charge sheet was filed on 19.03.2025 before the learned Judicial Magistrate No.IV, Madurai.

5.Considering the fact that a case is pending against the petitioner, there cannot be a positive direction for renewal of the passport in terms of Section 16(2)(f) of the Passport Act, 1967. However, a Division Bench of this Court in ***Regional Passport Officer vs. Samsudeen Mohamed Salih (W.A.No.902 of 2023, dated 02.06.2023)*** has held that there can be no impediment in re-issuance of the passport. The Ministry of External Affairs, PSP Division, issued guidelines for issuance of passport and renewal of passport on 10.10.2019.



W.P.(MD) No.17461 of 2025

WEB COPY

6.Considering the same, there shall be a direction to the first respondent to reissue the passport in the name of the petitioner. However, the passport shall be transmitted directly to the file of the learned Judicial Magistrate No.III, Madurai, in response to the FIR registered against the petitioner and others in Crime No. 351 of 2025, dated 08.03.2025 under the above provisions.

7.In case, the petitioner desires to travel abroad, the petitioner may file a suitable application, which shall be considered and disposed of by the said Court on merits. In case, the charge sheet is not taken on file, the passport shall be directly issued to the petitioner. However, before travelling abroad, the petitioner shall obtain permission of the said Court.

8.The fourth respondent is directed to take steps to get the case numbered before the aforesaid Court within a period of four weeks from the date of receipt of a copy of this order.



W.P.(MD) No.17461 of 2025

WEB COPY

9. With the aforesaid directions, the Writ Petition stands disposed of. No costs.

Index : Yes / No
Internet : Yes / No
mm

27.06.2025

To

1. The Commissioner of Police,
O/o. Commissioner of Police,
Alagar Kovil Road,
Madurai.
2. The Assistant Commissioner of Police,
O/o. Assistant Commissioner of Police,
Keerathurai,
Madurai.
3. The Inspector of Police,
O/o. Inspector of Police,
Jaihindupuram,
Madurai.



WEB COPY



W.P.(MD) No.17461 of 2025

C.SARAVANAN, J.

mm

W.P.(MD) No.17461 of 2025

27.06.2025