



W.P.(MD).No.17865 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.17865 of 2025

K.Ravi

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ulaa Veethi,
Race Course Road,
Madurai 625 002

2.The Deputy Passport Officer,
Regional Passport Office,
Bharathi Ulaa Veethi,
Race Course Road,
Madurai 625 002.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 2nd respondents to consider the Petitioner's representation, dated 12.06.2025, and to re-issue the passport bearing No.AA108166 with a validity of five years, instead of one year, within a time frame to be fixed by this Court.

For Petitioner

: Mr.S.Kishore Kumar

For Respondents

: Mr.R.Senthilkumar

Central Government Standing Counsel



W.P.(MD).No.17865 of 2025

ORDER

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This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and the learned counsel for the respondents.

2. The petitioner had approached this Court earlier in W.P(MD) No.10597 of 2025 for re-issuance of the passport by considering the petitioner's representation, dated 05.04.2023. The said Writ Petition was disposed of vide order, dated 21.04.2025 with the following observation:

“4. In view of the above said submissions, the petitioner is given liberty to move the trial Court for the relief now sought for. As and when such miscellaneous petition is filed, it shall be numbered and disposed of within a period of three weeks thereafter. The learned trial Judge shall bear in mind that right to travel abroad is a fundamental right. The petitioner's career and avocation may be at stake, if he is denied the right to go abroad. Therefore, the trial Court unless there are extraordinary circumstances shall not deny the relief. Of course, the period of validity of passport will have to be restricted. It is also open to the learned trial Judge to stipulate appropriate conditions to ensure that the prosecution is not stalled on account of the petitioner's absence from India. If



W.P.(MD).No.17865 of 2025

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necessary, the applicant can be directed to file an application under Section 228 of the Bharatiya Nagarik Suraksha Sanhita, 2023, by executing a special Vakalat. ”

3. Thereafter, the petitioner had also moved an application before the learned Judicial Magistrate, Thiruvadanai in Cr.M.P.No.226 of 2025 in C.C.No.12 of 2020 and it came to be disposed of on 02.05.2025 with the following observations:

“3.Order

This petition is allowed and the No Objection Certificate is granted for the renewal of the petitioner's passport. The following conditions are imposed to balance the petitioner's rights with the interests of justice:

(a) Sureties :

The petitioner shall execute a own bond for a sum of Rs. 4,00,000/- with two independent sureties each for a like sum.

(b) The petitioner shall not leave the country without prior permission of this Court.



W.P.(MD).No.17865 of 2025

(c) Consequences of Violation:

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In case of any violation of the above conditions, this Court reserves the right to take stringent action, including forfeiture, sureties action, issuance of a non-bailable warrant, and cancellation of bail. ”

4. It is the specific case of the petitioner that he is working as a construction labour in Malaysia and that the petitioner has been attending due proceedings before the learned Judicial Magistrate, Thiruvadanai, regularly in C.C.No.12 of 2020. It is submitted that the petitioner requires a passport valid for a period of five years in order to continue with his employment in Malaysia.

5. The learned counsel for the first respondent on the other hand would submit that the petitioner's passport has been renewed on 30.05.2025 and it's date of expiry is on 29.05.2026 in view of the office memorandum of the ***Ministry of External Affairs, dated 10.10.2019.***

6. It is noted that under similar circumstances, this Court was inclined to direct the official respondents to renew the passport of the petitioner for the



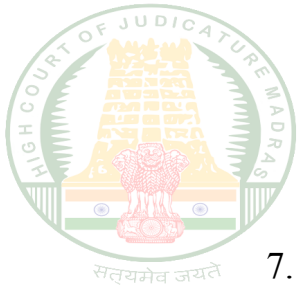
W.P.(MD).No.17865 of 2025

regular period of 10 years in view of the judgment reported in **2024-1-Writ L.R.**

490 in W.P(MD) No.1190 of 2024, dated 28.03.2024, the Court has ordered as under:

87. *Though the pendency of the criminal cases is admitted, the petitioner has approached the Courts several times in the interim seeking permission to travel. Such permission is seen to have been granted and there is also a finding in the order of the learned Special Judge (PC Act) (CBI) – 09 dated 19.12.2023 to the effect that the petitioner has not breached any of the conditions imposed by the Courts thus far.*

88. *Thus, and also for the reason that the proposal to limit the period of passport is bereft of any reasoning, I see no impediment for the issuance of a passport with regular validity of 10 years and direct the respondent to do so forthwith. The passport, once received by the petitioner, shall immediately be surrendered to the Court in whose possession it has been thus far.*



W.P.(MD).No.17865 of 2025

WEB COPY

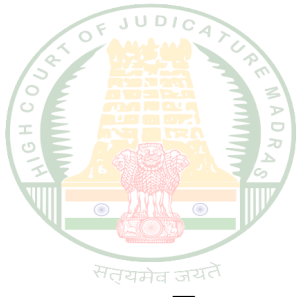
7. In view of the above, there shall be a direction to the first respondent to renew the petitioner's passport for a regular period of 10 years. However, the petitioner shall appear before the learned Judicial Magistrate, Thiruvadanai as and when the petitioner's presence is required in C.C.No.12 of 2020. It is made clear that in case, the petitioner fails to appear before the learned Judicial Magistrate, Thiruvadanai, on the date specified, the first respondent is at liberty to cancel the passport that is to be issued and shall also take steps to report the petitioner for attending the case hearings.

8. With the above direction, this Writ Petition stands disposed of. No costs.

02.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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W.P.(MD).No.17865 of 2025

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W.P.(MD).No.17865 of 2025

C.SARAVANAN, J.

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W.P(MD).No.17865 of 2025

02.07.2025