



W.P.(MD) No. 17809 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 17809 of 2025

T.Suyambulingam

... Petitioner

Vs

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

2. The Inspector of Police,
Rajakamangalam Police Station,
Kanyakumari 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 and reissue of petitioner's passport bearing No. L5683133 on basis of petitioner's application No. MD4077387095125 based on petitioner's representation, dated 05.05.2025.



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For petitioner : Mr. S. Arul

For respondents : Mr.S.Pillai Manicantan
Central Government Standing Counsel for R1
Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This Writ Petition is disposed of at the time of admission with the consent of 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.

2. It is informed by the learned counsel for the petitioner as well the learned Government Advocate (Crl.Side) for the second respondent that the petitioner has been arrayed as A4 among the five accused, for the offences under Sections 302, 201, 120(B), 147 and 34 of IPC before the Additional Sessions Court, Kanyakumari at Nagercoil in S.C.No.119 of 2022.

3. The alleged offence is of the year 2014. Initially the petitioner's name



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was not in the FIR. However, subsequently, after investigation, the petitioner has also been included in the FIR and in the aforesaid case.

4. It appears that the petitioner had earlier obtained the passport on 02.09.2003, which was renewed later for a period between 13.12.2013 and 12.12.2023. The petitioner has now applied for renewal of the passport. The petitioner's passport has not been renewed in view of the pendency of case in S.C.No.119 of 2022.

5. It is informed that the case is to be listed for hearing on 17.07.2025 for appearance of the accused before the said Court.

6. Although the provisions of Passport Act, 1962, mandates that where criminal case is pending against a person, the passport should not be renewed, the Hon'ble Division Bench of this Court in the case of *The Regional Passport Officer, Chennai Vs. Samsudeen Mohamed Salih and another, (W.A.No.902 of 2023, dated 02.06.2023)* has ordered otherwise.

7. Considering the same, there shall be a positive direction to the first



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respondent to renew the passport of the petitioner. However, the passport shall be directly transferred to the file of the learned Additional Sessions Judge, Kanyakumari at Nagercoil in S.C.No.119 of 2022.

8. In case, the petitioner desires to travel abroad, the petitioner may file a suitable application for retrieving the same, which shall be considered and disposed of on merits by the concerned Court.

9. This Writ Petition is disposed of, with the above observations. No costs.

Index : Yes / No
Internet : Yes / No
apd

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To
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C.SARAVANAN, J.

apd

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