



W.P(MD)No.18308 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.18308 of 2025
and
W.M.P(MD)No.14035 of 2025

A.Mohammrd Nijam

... Petitioner

Vs.

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

2.State Rep. by
The Inspector of Police,
Colachel 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 Certiorarified Mandamus, to call for the impugned clarification under Letter Ref.No.SCN/1049170649/25 dated 21.05.2025 and to quash the same as unwarranted and unlawful and further direct the first respondent herein to renew the petitioners Passport Under File No.MD2077567211525, dated 22.04.2025, within a time frame as fixed by this Court.



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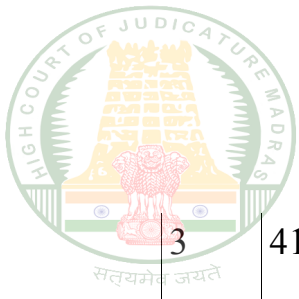
For Petitioner : Mr.B.Micheal Sebastin
For R1 : Mr.R.Ganesh Kumar
Central Government Standing Counsel
For R2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This writ petition has been filed challenging impugned clarification under Letter Ref.No.SCN/1049170649/25, dated 21.05.2025 and directing the first respondent herein to renew the petitioner's Passport under File No.MD2077567211525, dated 22.04.2025.

2. The learned Government Advocate for the second respondent submits that the petitioner is an accused in four FIRs registered against him as detailed below:

S.No	Crime No.	Section of Law	Stage of the case
1	112/2020	147, 294(b), 323 IPC	Disposed
2	398/2020	143, 269 IPC	Taken on file in STC No. 773 of 2020 before Judicial Magistrate, Eraniel



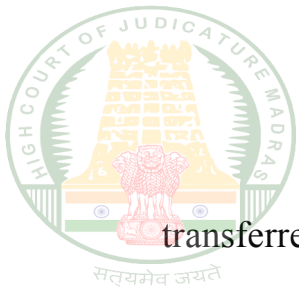
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3	412/2020	417, 419 IPC	Taken on file in S.T.C.No. 274 of 2023 before Judicial Magistrate, Eraniel
4	405/2020	143, 269 IPC @ 143, 269 – IPC 3- ED Act 1897	Action Dropped

3. The above table indicates that two criminal cases are pending against the petitioner before the Judicial Magistrate, Eraniel in S.T.C.Nos.274 of 2023 and 773 of 2020.

4. In view of the above, the petitioner is not entitled for issuance of a passport. However, it is noticed that the Division Bench of this Court in the case of *The Regional Passport Officer, Chennai Vs. Samsudeen Mohamed Salih and others, dated 02.06.2023 (W.A.No.902 of 2023)* has held otherwise. The Government of India, Ministry of External Affairs, PSP Division has issued an Office Memorandum, dated 10.10.2019, wherein certain stipulations were issued.

5. Considering the same, there shall be a direction to the first respondent to renew the passport of the petitioner, which shall be directly



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transferred to the Judicial Magistrate, Eraniel in S.T.C.Nos.274 of 2023 and 773 of 2020 within a period of four weeks from the date of receipt of a copy of this order.. It is open to the petitioner to file appropriate application before the aforesaid Court for retrieving the passport, in case the petitioner proposes to travel abroad.

6. The writ petition stands disposed of with the above liberty. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

07.07.2025

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

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

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

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C.SARAVANAN, J.

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