



W.P(MD)No.19285 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2025

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.19285 of 2025

and

W.M.P(MD)No14802 of 2025

P.Gowthaman

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
New Municipality Complex,
7th Cross, Thillainagar,
Trichy.

2.The Sub Inspector of Police,
Vattathikkottai Police Station,
Tanjore District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned show cause notice issued by the first respondent dated 30.05.2025 and quash the same and consequently directing the first respondent to issue the passport in passport application No.TR. 1075044241825 based on the petitioner's application dated 16.05.2025 within the time stipulated by Court.



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For Petitioner : Mr.N.Kamesh
For R1 : Mr.A.Veluchamy
Central Government Standing Counsel
For R2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This writ petition has been filed challenging the impugned show cause notice issued by the first respondent dated 30.05.2025 and consequently directing the first respondent to issue the passport in passport application No.TR.1075044241825 based on the petitioner's application dated 16.05.2025.

2. The learned Government Advocate for the second respondent submits that the petitioner has been arrayed as Accused No.2 in the FIR registered by the second respondent in Crime No.75 of 2019 dated 27.07.2019 for offences under Sections 147, 294b, 506(2) of the IPC. He further submits that a charge sheet was filed before the Judicial Magistrate, Pattukottai as early as on 05.01.2024. However, it has not been taken on file.



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3. Considering the fact that no criminal case is pending, there can be no impediment in directing the first respondent to process the application filed by the petitioner for renewal of the passport.

4. That apart, 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.

5. In view of the above, the first respondent is directed to process the application, dated 16.05.2025 of the petitioner and renew the passport. The second respondent shall endeavour to ensure that the charge sheet is take on file. As and when the charge sheet is taken on file, the petitioner shall surrender the passport. It is open to the petitioner to file appropriate application for retrieving the passport as and when the petitioner proposes to travel abroad.



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6. The writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

17.07.2025

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

- 1.The Regional Passport Officer,
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Trichy.
- 2.The Sub Inspector of Police,
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C.SARAVANAN, J.

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