



W.P.(MD) No. 20781 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 20781 of 2025

Arunkumar

... Petitioner

Vs

1. The Regional Passport Officer,
Regional Passport Office,
Race Course Road,
Madurai.

2. The Inspector of Police,
Koodal Nagar Police Station,
Madurai City.

... 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 issue a passport to the petitioner based on his application, dated 15.02.2023 in File No.MD1065222028725 on the file of the first respondent.

For petitioner : Mr. R.Balamuruganantham

For respondents : Mr. I.Sekar
Central Government Standing Counsel for R1



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Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side) for R2

ORDER

This Writ Petition is disposed of at the time of admission with the consent of the learned counsel for the petitioner, the learned Central Government Standing Counsel for the first respondent and the learned Government Advocate (Crl.Side) for the second respondent.

2. The petitioner has filed this Writ Petition for a Mandamus to direct the first respondent to issue a passport to the petitioner based on his application, dated 15.02.2023 in File No.MD1065222028725 on the file of the first respondent.

3. The learned Government Advocate (Crl.Side) for the second respondent, on the other hand, submits that the petitioner was involved in the offences, for which two FIRs were registered against the petitioner, as follows:



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S.No	Crime Number	Offence	Police Station
1.	466/2011	Sections 147, 148, 294(b), 323, 324, 355, 307, 506(ii) of IPC and 379 (NP) IPC	Koodalputhur Police Station
2.	1433/2016	Section 75 of Tamil Nadu City Police Act	Koodalputhur Police Station

4. The learned Government Advocate (Crl.Side) for the second respondent submits that although the second mentioned FIR was registered by the second respondent/Police Station, it has been subsequently transferred to Alanganallur Police Station and charge sheet has also been filed before the learned Judicial Magistrate, Vadipatti. However, he submits that the charge sheet has not been taken on file by the concerned Court.

5. Considering the same, there can be no impediment to issue a passport to the petitioner by the first respondent. Hence, the first respondent is directed to process the passport application of the petitioner. However, it is made clear that in case the charge sheet is taken on file by the concerned Court and the case is numbered in furtherance of the FIR registered in Crime No.466/2011 or in



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furtherance of the FIR in Crime No.1433/2016, the petitioner shall surrender the passport before the concerned Court and obtain leave from the Court to retrieve the same, in case the petitioner proposes to travel abroad.

6. It is made clear that if the petitioner fails to comply with the above stipulations, it is for the second respondent or the Inspector of Alanganallur Police Station to take steps to cancel the passport or seize the passport from the petitioner. Independently, the first respondent is also entitled to take steps to cancel the petitioner's passport, in case the petitioner seems to be any breach of the above conditions.

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

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

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