



W.P.(MD).No.20162 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.20162 of 2025

Selvaraj

... Petitioner

Vs.

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

2. The Inspector of Police,
All Women Police Station,
Sattur,
Virudhunagar District.

... 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 respondent to reissuance of the Petitioner's Passport No.X6710036 (ARN 25-2001506552) on the basis of his application to the 1st respondent the application Ref. No. 25-10500991829, dated 11.05.2025.

For Petitioner

: Mr.Ramasamy

For R1

: Mr.B.Brijesh Kishore
Central Government Standing Counsel

For R2

: Mr.K.Sanjai Gandhi
Government Advocate (Crl side)



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ORDER

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The petitioner was a holder of a passport No.X6710036 (ARN 25-2001506552), which expired on 10.05.2025. Subsequently, on 18.04.2025, the petitioner applied for a fresh passport before the Embassy of India, Muscat, however, the application was not processed. Thereafter, on 11.05.2025, the petitioner submitted another application for a fresh passport before the first respondent through the online portal, which is still pending. Hence, the present Writ Petition has been filed seeking reissuance of the passport.

2. The learned counsel for the petitioner submits that the petitioner is an accused in Crime No. 4 of 2022 on the file of the second respondent, for the offences punishable under Section 498-A of the IPC and Section 4 of the Dowry Prohibition Act, 1961. The second respondent has filed a final report before the District Munsif-cum-Judicial Magistrate No.I, Sattur, which has been taken on file as C.C. No. 13 of 2025. The trial has not yet commenced.

3. It is noticed that the petitioner has also filed a petition for divorce before the Sub Court, Sattur in H.M.O.P.No.15 of 2025, in which the trial has commenced. In the affidavit filed in support of the present Writ Petition, the

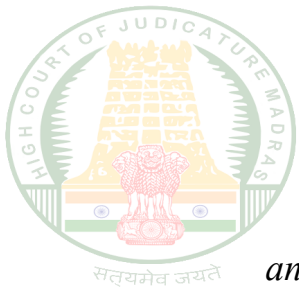


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petitioner has given an undertaking that the petitioner will co-operate not only with the trial Court in HMOP No.15 of 2025, but also in C.C.No.13 of 2025, pending on the file of the District Munsif-cum-Judicial Magistrate No.I, Sattur.

4. Since the petitioner's passport expired on 10.05.2025, and the petitioner had applied for its renewal on 18.04.2025, followed by a fresh application on 11.05.2025, I am inclined to direct the respondents, through their office at the Embassy of India, Muscat, to process the passport application dated 11.05.2025, in terms of the decision of the Hon'ble Division Bench of Court in ***The Regional Passport Officer, Chennai Vs. Samsudeen Mohamed Salih and others, dated 02.06.2023 (W.A.No.902 of 2023)***. The Petitioner shall, however, co-operate with the respective Courts as per the averments in paragraph No.4 in this Writ Petition, which reads as follows:

“(iv) I respectfully submit that with regard to the criminal case against me in Crime No.4 of 2022 on the file of the second respondent for offence under Sections 498(A) IPC and Section 4 of Dowry Prohibition Act, 1961, the second respondent filed a Final Report before the District Munsif cum Judicial Magistrate No.1, Sattur and same was taken cognizance in C.C.No.13/2025



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and in that case, the trial is not yet commenced and moreover, I filed a petition for divorce before the Sub Court, Sattur in H.M.O.P.No.15 of 2025 is pending at evidence stage in the above said circumstances, the reissuance of passport is just and necessary. I undertake to co-operate with the trial Court for disposal of the criminal case against me.”

5. It is made clear that in case, the petitioner fails to co-operate with the respective Courts, it is open to the second respondent to take steps to secure cancellation of the passport of the petitioner through the first respondent or through the Embassy of India, Muscat.

6. With the above direction, this Writ Petition is disposed of. No costs.

24.07.2025

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

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To

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2. The Inspector of Police,,
All Women Police Station,
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C.SARAVANAN, J.

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