



W.P.(MD) No.20208 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.07.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.20208 of 2025

Viju

... Petitioner

Vs.

1.Ministry of External Affairs,
Rep. by its Branch Secretary,
Chennai Branch,
68, College Road,
E.V.K.Sampath Maaligai,
7th Floor, Nungambakkam,
Chennai - 600 006.

2.The Regional Passport Officer,
The Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road, Madurai.

3.The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the first and second respondents to renew the petitioner's Passport No.M8859496 by considering the petitioner's application reference No.25-2002162928 within the time stipulated by this Court.



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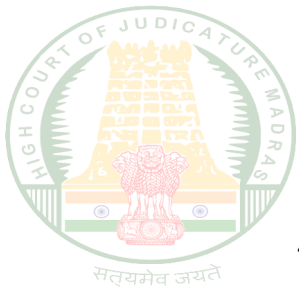
For Petitioner : Mr.J.Pandi Dorai
For R1 & R2 : Mr.G.Vishnuram
Central Government Standing Counsel
For R3 : Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the first and second respondents to renew the petitioner's Passport No.M8859496 by considering the petitioner's application bearing reference No.25-2002162928.

2. The petitioner, who is the holder of Passport No.M8859496, which was valid from 11.05.2015 to 10.05.2025, applied for renewal of the passport on 11.05.2025, i.e., after the said passport had expired.

3. As per the decision of the Division Bench of this Court in ***Regional Passport Officer, Chennai vs. Samsudeen Mohamed Salih and another***, dated 02.06.2023, rendered in W.A.No.902 of 2023, if such application is filed in time, the mere pendency of a criminal case will not be a bar to the renewal of the passport. However, in the present case, the application for passport was filed after the expiry of the said passport.



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4. The learned Government Advocate (Criminal Side) for the third respondent police submits that the petitioner is the sole accused in FIR in Crime No.56 of 2020 dated 01.03.2020 for the alleged offences punishable under Sections 279, 337 & 338 of Indian Penal Code, 1860 and Section 181(3) of the Motor Vehicles Act, 1988.

5. The learned Government Advocate (Criminal Side) for the third respondent police further submits that the charge sheet was filed on 06.09.2020 before the Judicial Magistrate Court No.II, Kuzhithurai, for the offence punishable under Section 279 of the Indian Penal Code, 1860, and the same has been taken on file as S.T.C.No.1137 of 2020. The case is next listed on 01.09.2025 for issuance of summons.

6. Since a criminal case is already pending before the Court, the relief sought in this Writ Petition cannot be granted. Therefore, this Writ Petition is liable to be dismissed.

7. However, liberty is given to the petitioner to file a fresh application at an appropriate time, so as to enable the first and second respondents to issue a fresh passport to the petitioner.



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8. With the above liberty, this Writ Petition stands dismissed. No

costs.

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Index : Yes / No

Neutral Citation : Yes/No

To

- 1.The Branch Secretary,
Chennai Branch,
Ministry of External Affairs,
68, College Road,
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C.SARAVANAN, J.

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