



W.P.(MD) No.20859 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.20859 of 2025

S.Mohana Kannaa

... Petitioner

/vs./

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

2.The Inspector of Police,
Kallikudi Police Station,
Madurai District.

3.The Inspector of Police,
District Crime Branch,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioner's passport application in online application File No. MD01C5105156322 dated 02.01.2023 within time frame as fixed by this Court.

For Petitioner : Mr.V.Vijayendiran



W.P.(MD) No.20859 of 2025

WEB COPY

For R1 : Ms.B.Deepa
CGSC

For R2 & R3 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)

ORDER

Ms.B.Deepa, learned Central Government Standing Counsel takes notice for the first respondent and Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.side) takes notice for the respondents 2 and 3.

2.The writ petition has been filed for a Mandamus to direct the first respondent to consider the petitioner's passport application bearing File No. MD01C5105156322 dated 02.01.2023.

3.The learned Government Advocate (Crl.side) for the respondents 2 and 3 submits that the petitioner is the sole accused in Crime No.3 of 2018 on the file of Inspector of Police, Kallikudi Police Station, Madurai, for the offence under Sections 279, 337 and 304(a) IPC. It is submitted that a charge sheet was also filed before the Judicial Magistrate Court, Thirumangalam. However, the case was closed on account of limitation.



W.P.(MD) No.20859 of 2025

WEB COPY

4.It is further submitted that the petitioner is also an accused along with others in Crime No.46 of 2024, dated 18.07.2024, on the file of the third respondent for the offences under Sections 420 and 406 IPC. It is submitted that the said case is also still under investigation.

5.The learned counsel for the first respondent, on the other hand, would submit that the petitioner was issued with a show cause notice, asking the petitioner to explain as to the status of the above mentioned two criminal cases. However, the petitioner failed to appear and therefore, the petitioner's application was closed on 26.02.2024.

6.Having considered the submissions made by the learned counsel for the petitioner, learned Central Government Standing Counsel for the first respondent and the learned Government Advocate (Crl.side) for the respondents 2 and 3, I am inclined to dispose of this writ petition, by permitting the petitioner to file a fresh application for issuance of a passport, as no criminal case is pending before any Court against the petitioner as on date.



W.P.(MD) No.20859 of 2025

WEB COPY

7.In case, the petitioner files such an application, the same shall be considered and disposed of. It is made clear that if by this time, a charge sheet is filed pursuant to the FIR registered in Crime No.46 of 2024, dated 18.07.2024, pending before the third respondent, the petitioner shall surrender the passport before the concerned Court.

8.In case, the petitioner fails to surrender the passport as ordered by this Court in this writ petition, the respondents 2 and 3 are at liberty to take steps to seize the passport from the hands of the petitioner. The first respondent is also at liberty to cancel the passport, as the passport to be issued is subject to the conditions passed by this Court in this order.

9.With the aforesaid directions, the Writ Petition stands disposed of. No costs.

Index : Yes / No
Internet : Yes / No
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31.07.2025



W.P.(MD) No.20859 of 2025

WEB COPY

To

- 1.The Inspector of Police,
Kallikudi Police Station,
Madurai District.
- 2.The Inspector of Police,
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W.P.(MD) No.20859 of 2025

C.SARAVANAN, J.

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W.P.(MD) No.20859 of 2025

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