



W.P.(MD) No. 21526 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 21526 of 2025

Sakthimurugan

... 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,
Palayanoor Police Station,
Sivagangai District.

... 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 the Passport to the petitioner on his application in File No.MD1068630358715 of the first respondent in a time bound manner.

For petitioner : Mr.M. Manimuthu



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For respondents : Mr.S.Mariappan
Central Government Standing Counsel for R1
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 is the holder of a passport in No.N1210081 issued for a period between 15.07.2015 and 14.07.2025. The petitioner has filed an application for renewal of the passport in application No. MD1068630358715 on 30.05.2025.

3. It is noticed that the petitioner has been arrayed as A20 in an FIR registered in Crime No.70/2015 before the second respondent for the offence under Section 448 of IPC and Section 3 of the Tamil Nadu Public Property (Prevention of Destruction and Loss) Act, 1982.



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4. The learned Government Advocate (Crl.Side) submits that later, the Sections were altered to Sections 147, 148 and 448 IPC and Section 3 of Tamil Nadu Public Property (Prevention of Destruction and Loss) Act, 1982. A charge sheet has been filed pursuant to which the case has been taken on file by the Sub Court, Manamadurai in S.C.No.45 of 2025 and the case is listed on 04.09.2025 for production of list of witnesses.

5. Considering the same, there is no scope of renewal of the passport of the petitioner. However, the Hon'ble Division Bench of this Court has taken a contra view in *the Regional Passport Officer, Chennai Vs. Samsudeen Mohamed Salih and another (W.A.No.902 of 2023, dated 02.06.2023)*. The External Affairs Ministry has also issued a guideline in O.M.No.VI/401/1/5/2019, dated 10.10.2019 to protect the interest of the parties in this regard.

6. Considering the same, there shall be a direction to the first respondent to process the passport application of the petitioner in No.MD1068630358715, dated 30.05.2025 as expeditiously as possible preferably within a period of four (4) weeks from the date of receipt of a copy of this order.



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7. However, as and when the passport is re-issued to the petitioner, the petitioner shall *suo motu* surrender the passport to the Sub Court, Manamadurai in S.C.No.45 of 2025.

8. In case the petitioner fails to comply with the same, it is open for the second respondent to seize the passport and deliver it to the said Court. Independently, it is open for the first respondent to take steps to cancel the passport, in case the petitioner fails to comply with the above direction.

9. Further, it is open for the petitioner to move a suitable application as and when the petitioner proposes to travel abroad.

10. 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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