



W.P.(MD) No.21320 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.21320 of 2025

Alwin

... Petitioner

/vs./

1.The Regional Passport Officer,
O/o. the Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai.

2.The Inspector of Police,
Kotticode Police Station,
Kaniyakumari 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 issue passport by processing the Application No.MD4076502812524 dated 30.04.2024 within a stipulated time period in accordance with law on the basis of the representation date 30.07.2025.

For Petitioner : Mr.M.Pandian



W.P.(MD) No.21320 of 2025

WEB COPY

For R1

: Mr.B.Ponnupandi
CGSC

For R2

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

ORDER

Mr.B.Ponnupandi, 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 second respondent.

2.The petitioner has filed this writ petition for a Mandamus to direct the first respondent to issue passport by processing the application No.MD4076502812524, dated 30.04.2024, on the basis of the representation dated 30.07.2025.

3.In this connection, the petitioner has been issued with notices by the first respondent. However, same has not been responded to properly by the petitioner. However, the fact remains that the petitioner has been arrayed as a sole accused in Crime No.78 of 2023 for the offences under Sections 294(b), 323, 326 and 506(ii) IPC.



W.P.(MD) No.21320 of 2025

WEB COPY

4.It is noticed that the petitioner has also been charge sheeted and the case has been taken on the file of Judicial Magistrate No.II Court, Padmanabhapuram, Kanyakumari District in CC.No.436 of 2023. Therefore, there is no scope for any positive direction to issue/process the passport application of the petitioner, dated 30.04.2024.

5.In all probability, the passport application of the petitioner would have been closed at this distant point of time. Therefore, the writ petition is liable to be dismissed.

6.However, it is open for the petitioner to move an appropriate application, in the light of the Office Memorandum of the Central Government in GSR.No. 570(E), Ministry of External Affairs, dated 25.08.1993 before the learned Judicial Magistrate No.II, Padmanabhapuram, Kanyakumari District in CC.No.436 of 2023 for appropriate orders for the first respondent to process the passport application of the petitioner.



W.P.(MD) No.21320 of 2025

WEB COPY

7. Therefore, liberty is given to the petitioner to file a fresh passport application, as at this distant point of time, the aforesaid passport application of the petitioner, dated 30.04.2024, would have been closed.

8. The Writ Petition stands disposed of, with such liberty. No costs.

Index : Yes / No

05.08.2025

Internet : Yes / No

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To

The Inspector of Police,
Kotticode Police Station,
Kanyakumari District.



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W.P.(MD) No.21320 of 2025

C.SARAVANAN, J.

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W.P.(MD) No.21320 of 2025

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