



W.P.(MD)No.21604 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.21604 of 2025

Padagalinngam

... Petitioner

-VS-

- 1.The Regional Passport Office,
Madurai Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002,
Tamil Nadu.
- 2.The Superintendent Enquiry Officer,
Regional Passport Office Madurai,
Bharathi Ula Veethi, Race Course Road,
Madurai - 625 002,
Tamil Nadu.
- 3.The Inspector of Police,
Othakadai Police Station,
Madurai District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to renew the petitioner's passport on his File No.MD1077582628125 dated 02.05.2025 based on his reply dated 25.07.2025.



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For Petitioner : Mr.M.Chandrabose
For R1 and R2 : Mr.A.Devarajan
Central Government Standing Counsel
For R3 : Mr.K.Sanjai Gandhi
Government Advocate (Criminal side)

ORDER

The petitioner has filed the present Writ Petition seeking a direction to the respondents 1 and 2 to renew his passport bearing File No. MD1077582628125, dated 02.05.2025, based on his reply dated 25.07.2025.

2. It is noticed that the petitioner has already been issued with Passport No. Z8314932, which is valid from 02.05.2025 to 01.05.2035. After issuance of the said passport, the petitioner was served with a show cause notice dated 14.05.2025, seeking an explanation as to why steps should not be taken to impound the said passport under Section 12(1)(b) of the Passports Act, 1967. The notice also directed the petitioner to appear in person at the Passport Office, Madurai, between 09:30 a.m. and 12:00 noon, within 30 days from the date of receipt of the said communication.



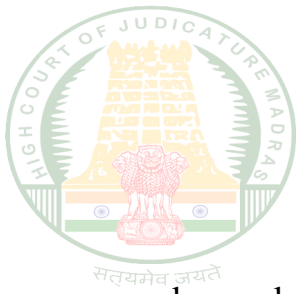
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3. The petitioner submitted his response to the said notice on 21.07.2025, followed by another reply dated 25.07.2025, wherein he reiterated that no criminal case is pending against him, and that he had not suppressed any material fact while applying for the passport, which had already been issued and remains valid.

4. The learned Government Advocate (Criminal Side) for the third respondent submitted that the petitioner had been arrayed as A4 in Crime No.522 of 2019, dated 24.11.2019, registered by the third respondent Police for the offences under Sections 147, 148, 448, 342, 324, 427, 506(ii) and 379 of the Indian Penal Code. However, it is further submitted that, after investigation, a final report was filed under Section 173 of the Cr.P.C., closing the case as 'mistake of fact'. Therefore, it is confirmed that no criminal case is pending against the petitioner in relation to the said FIR.

5. The show cause notice dated 14.05.2025 also specifically refers to the above-mentioned Crime No.522 of 2019. In the light of the fact that the case has



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been closed and no proceedings are pending, the invocation of Section 12(1)(b) of the Passports Act, 1967, cannot be sustained.

6. Though the petitioner has sought a direction to the first respondent to process his passport application, it is evident that the real grievance of the petitioner arises from the show cause notice dated 14.05.2025. This Court is, therefore, inclined to mould the relief appropriately to address the said grievance.

7. In view of the above, the show cause notice dated 14.05.2025 issued by the first respondent is quashed. The Writ Petition stands allowed with the above observations. No costs.

NCC : Yes / No
Index : Yes / No
smn2

07.08.2025

To:-

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Race Course Road,
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- 2.The Superintendent Enquiry Officer,
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C.SARAVANAN, J.

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