



W.P.(MD) No. 21864 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 21864 of 2025

Ramamoorthi

... Petitioner

Vs

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

2. The Inspector of Police,  
Sivagangai Taluk 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 a passport to the petitioner based on his application No. MD1076883063324, dated 27.08.2024.

For petitioner : Mr. R.Ilayaraja

For respondents : Mr. S.Poornachandran  
Central Government Standing Counsel for R1



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Mr. Vaikkam Karunanithi  
Government Advocate (Crl.Side) for R2  
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### **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 has filed this Writ Petition for Mandamus, to direct the first respondent to issue a passport to the petitioner based on his application No. MD1076883063324, dated 27.08.2024.

3. The petitioner was the holder the passport bearing No.M2291671, which was issued for a period between 21.10.2014 and 20.10.2024. The petitioner has filed an application for re-issuance of the passport *vide* passport application No. MD1076883063324, dated 27.08.2024.

4. The learned Government Advocate (Crl.Side) for the second respondent



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submits that the petitioner is an accused person in the following two cases

| S.No | Crime Number & offences                                                                                                       | Court                                                                                         | Stage                                                                      |
|------|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| 1.   | Crime No.222/2016 on the file of the second respondent for the offences under Section 147, 148, 294(b), 324 and 506(2) of IPC | Charge sheet filed before the Judicial Magistrate Court-II, Sivagangai in C.C.No. 107 of 2018 | Posted on 19.08.2024 for examination of L.W.1 to L.W.3                     |
| 2.   | Crime No.299/2018, on the file of the second respondent for the offences under Sections 448, 323, 354 & 307 of IPC            | Charge sheet filed before the Judicial Magistrate Court-II, Sivagangai in P.R.C.No.49 of 2024 | Posted on 14.08.2025 for production of sureties and committal proceedings. |

5. Since it appears that both the offences were allegedly committed by the petitioner after the earlier passport was issued. Therefore, there is no scope for directing the first respondent to re-issue the passport merely because the petitioner has filed an application.

6. However, Division Bench of this Court has ordered otherwise 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. Therefore, no positive orders can be granted to the petitioner.



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7. However, it is open for the petitioner to move the concerned Court for appropriate orders for the Court to give liberty to process the petitioner's passport application. In case such an application is filed before the concerned Court, the Court may consider the gravity of the offence involved to pass appropriate orders as expeditiously as possible.

8. This Writ Petition is disposed of, with the above observations. No costs.

Index : Yes / No  
Internet : Yes / No  
apd

**11.08.2025**

To

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**C.SARAVANAN, J.**

apd

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