



W.P.(MD) No. 22061 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 22061 of 2025

Mariya John Kingston

... Petitioner

Vs

1. The Government of India,
Ministry of External Affairs,
Regional Passport Office,
Madurai, Bharathi Ula Veethi,
Race Course Road,
Madurai 625 002.

2. The Inspector of Police,
Kookankulam Police Station,
Tirunelveli 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 re-issue passport to the petitioner and to permit the petitioner to go to abroad by considering the petitioner's application in file No. MD2074133723322 dated 20.04.2022 as well as petitioner's representation dated 31.07.2025.



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For petitioner : Mr. M.S.Jeyakarthik

For respondents : Mr.A.Veluchamy

Central Government Standing Counsel for R1

Mr.Vaikkam Karunanithi

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, as a holder of the passport in No.V6605598, which is valid for a period between 20.04.2022 and 19.04.2032, was directed to be surrendered the passport by the office of the first respondent. Pursuant to the communication dated 09.05.2022, the petitioner eventually surrendered the passport only on 24.05.2024 as is evident from the Surrender Certificate.

3. The reasons stated in the aforesaid communication, dated 09.05.2022 indicate that the petitioner was involved in four different FIRs for the offences



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under various provisions of IPC.

4. The learned Government Advocate (Crl.Side) for the second respondent submits that all the four FIRs registered against the petitioner in connection with the protest regarding Kudankulam issue.

5. Now, the case has been made out only in Crime No.352/2012 before the second respondent/Police Station for the offences under Sections 147, 148, 353, 342, 323, 365, 294(b), 397, 307 r/w 149 IPC and Section 13 of Unlawful Assembly Act, 1967.

6. It is informed by the learned Government Advocate (Crl.Side) for the second respondent that in this case, charge sheet has been filed and the case is now pending before the Judicial Magistrate Court, Radhapuram in P.R.C.No.62 of 2020 for trial.

7. It is noticed that earlier also, the petitioner had approached the Judicial Magistrate Court, Radhapuram in Crl.M.P.Nos.10830 & 1163 of 2023 in PRC No. 45 of 2020 in respect of Crime Nos.192/2014 and 193/2013. In both cases, action



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has now been dropped against the petitioner, pursuant to the orders passed on 29.01.2024 and 13.03.2024, respectively. Hence, no offence is made out against the petitioner in these cases, as the proceedings were dropped as per the submissions of the learned Government Advocate (Crl.Side) for the second respondent.

8. Thus, only one case is pending presently in P.R.C.No.62 of 2020 pursuant to the FIR registered in Crime No.352/2012 against the petitioner and the case is pending trial before the concerned Court.

9. Under these circumstances, the first respondent is directed to process the application and transmit the passport of the petitioner directly to the file of the Judicial Magistrate Court, Radhapuram in P.R.C.No.62 of 2020 within a period of thirty (30) days from the date of receipt of a copy of this order, if the same is feasible. The petitioner may file a suitable application for travelling abroad before the Judicial Magistrate Court, Radhapuram. If not, the passport shall be issued to the petitioner, who shall voluntarily surrender the same before the the Judicial Magistrate Court, Radhapuram.



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

Index : Yes / No
Internet : Yes / No
apd

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