



W.P.(MD) No.22030 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.22030 of 2025

Sheik Abdullah Jalaluthin

... Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

2.The Inspector of Police,
Karaikudi North Police Station,
Karaikudi,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent herein to renew the petitioner's passport in Passport No.N4684672 in reference to petitioner's File No.MD1075238981425 on the file of the 1st respondent within the time limit as stipulated by this Court.



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For Petitioner : Mr.K.Hemakarthikeyan
For R1 : Mr.K.Manikandan
Central Government Standing Counsel
For R2 : Mr.Vaikam Karunanithi
Government Advocate (Crl.Side)

ORDER

The petitioner is before this Court for a Mandamus to direct the respondents to renew the passport of the petitioner.

2. The petitioner is a holder of passport No.N4684672 which is valid for the period between 12.11.2015 to 11.11.2025. The petitioner has filed an application for its renewal on 29.05.2025. In this background, the petitioner has not received query from the first respondent as petitioner is one of the accused person in FIR registered in Crime No. 828 of 2020 dated 03.11.2020 before the second respondent police station. For the offences under Sections 393 and 511 of IPC.



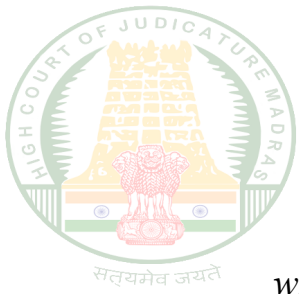
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3. Learned counsel for the second respondent states that charge sheet has been filed and pursuant to the charge sheet that has been filed, the case has been taken on record in C.C.No.1541 of 2022 before Judicial Magistrate Court, Karaikudi, Sivagangai. It is submitted that the case is listed for issue of service on 29.08.2025.

4. Since the petitioner's name is involved in the aforesaid FIR registered against the petitioner in Crime No.828 of 2020, which is now pending before the Judicial Magistrate No.2, Karaikudi, Sivagangai, in C.C.No.1541 of 2022, there is no scope for giving a positive direction. However, in view of Section 6(2)(f) of the Indian Passport Act, 1967. However, the 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), wherein it has been held as under:

“6.The contention of learned counsel for the appellant that the first respondent cannot travel abroad without the permission of the Court where the criminal case is pending, would not be an impediment for the passport authority to consider the application for renewal of the passport. No doubt, if the first respondent has to travel abroad and the criminal case is pending, then unless the Magistrate or the Sessions Court



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where the criminal case is pending permits the first respondent to travel abroad, he cannot travel abroad.

7. In the light of the above, we pass the following order:

- (i) The writ appellant shall process the application of the first respondent for renewal of passport without insisting for permission of the Court, where a criminal case is pending against the first respondent. If the first respondent is travelling abroad, then the first respondent would be required to seek permission from the Court where the criminal case is pending.*
- (ii) Decision shall be taken as above, within one month."*

5. In view of the above, there shall be a direction to the first respondent to process the renewal of passport of the petitioner as expeditiously as possible preferably within a period of four (4) weeks from the date of receipt of a copy of this order. The petitioner shall not travel without permission of the concerned Court. It is made clear that the petitioner shall surrender the same immediately thereafter before the Judicial Magistrate, Karaikudi as a case is pending against the petitioner in C.C.No.1541 of 2022. In case, the petitioner propose to travel abroad, petitioner may move suitable application before the said Court for appropriate orders.



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6. With the aforesaid directions, this Writ Petition is disposed of.

No costs.

12.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

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2. The Inspector of Police,
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C.SARAVANAN, J.

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