



W.P.(MD) No. 22416 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 22416 of 2025

A.Mohamed Hussain

... Petitioner

Vs

1. The Regional Passport Officer,
Regional Passport Office,
Tiruchirappalli New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli.

2. The Inspector of Police,
Mimisal Police Station,
Pudukkottai 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 renew the petitioner's passport by considering the petitioner's application in Application No.TR2075169975425 dated 12.06.2025.

For petitioner : Mr. M.Suresh

For respondents : Mr. M.Mithun
Central Government Standing Counsel for R1



WEB COPY



W.P.(MD) No. 22416 of 2025

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 has filed this Writ Petition for Mandamus, to direct the first respondent to renew the petitioner's passport by considering the petitioner's application in Application No.TR2075169975425 dated 12.06.2025.

3. The petitioner was the holder the passport bearing No.Z7785784, which was issued for a period between 06.06.2024 and 05.06.2024. The petitioner has filed an application for re-issuance of the passport *vide* passport application No.TR2075169975425 dated 12.06.2025.

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



W.P.(MD) No. 22416 of 2025

WEB COPY

submits that the petitioner has been arrayed as A5 in the FIR registered in Crime No.499/2021 dated 27.12.2021, by the second respondent for the offences under Sections 457 and 380 of Indian Penal Code, 1860. After investigation, the offences were altered to Sections 120b, 457, 380, 411, 414 and 34 of Indian Penal Code, 1860.

5. The learned Government Advocate (CrI.Side) further submits that the charge sheet has been filed and the same was taken on file in C.C.No.279 of 2024 before the Judicial Magistrate Court, Manalmelgudi.

6. Considering the fact that the charge sheet was filed and the case is pending against the petitioner before the Judicial Magistrate Court, Manalmelgudi, there is no scope for directing the first respondent to re-issue the passport merely because the petitioner has filed an application.

7. However, Hon'ble 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



W.P.(MD) No. 22416 of 2025

WEB COPY

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.

8. However, it is open for the petitioner to move the the Judicial Magistrate Court, Manalmelgudi for appropriate orders from the said 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.

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

Index : Yes / No
Internet : Yes / No
apd

18.08.2025

To
1. The Regional Passport Officer,
Regional Passport Office,
Tiruchirappalli New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli.



W.P.(MD) No. 22416 of 2025

WEB COPY

2. The Inspector of Police,
Mimisal Police Station,
Pudukkottai District.



WEB COPY



W.P.(MD) No. 22416 of 2025

C.SARAVANAN, J.

apd

W.P.(MD) No. 22416 of 2025

18.08.2025