



W.P.(MD) Nos.22402 & 22403 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) Nos. 22402 & 22403 of 2025

and

W.M.P.(MD) Nos.17488 & 17494 of 2025

Mathivanan Arunachalam

... Petitioner in W.P.(MD)
No.22402 of 2025

Vakeeshwari Visakaperumal

... Petitioner in W.P.(MD)
No.22403 of 2025

Vs

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

2. The Inspector of Police,
Economic Offences Wing,
Tenkasi,
Tenkasi District.

... Respondents on both W.Ps

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for



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issuance of Writ of Certiorarified Mandamus to call for the impugned order passed by the first respondent under reference file Nos. MD2075209011425 and MD2075209072925, respectively, dated 21.07.2025 and quash the same as erroneous and illegal and consequently, direct the first respondent to consider the same and issue the renewed passport bearing passport No.H2538945 and N2221690, respectively to the petitioners forthwith.

For petitioner : Mr. S.Palanivelayutham
(in both W.Ps)

For respondents : Mr.V.B.Sundhareshwar
(in both W.Ps) Central Government Standing Counsel for R1
Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side) for R2

COMMON ORDER

By this common order, these two Writ Petitions are disposed of at the time of admission with the consent of the learned counsel for the respective petitioners, the learned Central Government Standing Counsel for the first respondent and the learned Government Advocate (Crl.Side) for the second respondent.

2. In these Writ Petitions, the respective petitioners have prayed for a



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Mandamus to direct the first respondent to process the passport application of the respective petitioners.

3. The respective petitioners were the holder of the passports which expired earlier. As far as the petitioner in W.P.(MD) No.22402 of 2025 is concerned, the petitioner was the holder of the passport in No.H2538945, which was valid for the period between 18.02.2009 and 17.02.2019. As far as the petitioner in W.P. (MD) No.22403 of 2025 is concerned, the petitioner was the holder of the passport in No.N2221690, which was valid for the period between 12.08.2015 and 11.08.2025.

4. It is submitted that the respective petitioners are A52 and A53, respectively in the FIR registered in Crime No.2/2023, dated 14.08.2023 on the file of the second respondent for the offences under Sections 405, 408, 420, 468, 477A, 471 and 34 of Indian Penal Code, 1860.

5. The learned Government Advocate (Crl.Side) for the second respondent confirms and submits that though FIR has been registered against the respective



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petitioners in Crime No.2/2023, the case is still under investigation and no charge sheet has been filed.

6. Considering the same, there can be no impediment in directing the first respondent to process the passport applications of the respective petitioners and issue the same.

7. It is, however, made clear that in case during the interregnum, charge sheet is filed against the respective petitioners before the concerned Court, the respective petitioners shall on his own volition surrender their passports before the concerned Court and retrieve the same from the said Court as and when the respective petitioners desire to travel abroad.

8. It is made clear that in case, the respective petitioners fail to comply with any of the above stipulations, the second respondent is at liberty to seize the passport of the respective petitioners and deliver it before the concerned Court. It is also open for the first respondent to take steps to cancel the passport to be issued to the respective petitioners.



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9. These Writ Petitions are disposed of, with the above observations. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

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