



W.P.(MD) No. 23185 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 23185 of 2025

Silambuvarasan

... Petitioner

Vs

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

2. The Inspector of Police,,
Ilayankudi 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 not to impound the passport of petitioner bearing No. W4540162 in connection with the communication sent by the first respondent vide SCN/310750263/24 dated 10.01.2024.

For petitioner : Mr. A.Karthik



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For respondents : Mr. B.Narayan Ram
Central Government Standing Counsel for R1
Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side) for R2

ORDER

This Writ Petition is taken up for hearing 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 approached this Court belatedly against the impugned communication, dated 10.01.2024. By the impugned communication, the first respondent has been called upon the petitioner to produce proper clarification/explanation regarding the petitioner's involvement in Crime No. 348/2016 dated 23.11.2016 for the offences under Sections 147, 148, 294(b), 323, 324, 427 and 506(2) of IPC.

3. The learned Government Advocate (Crl.Side) for the second respondent submits that a charge sheet has been filed and the case has been taken on file by



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the Additional District Judge, Sivagangai in S.C.No.160 of 2022 and the case is listed for framing of charges on 18.09.2025.

4. The decision of the Hon'ble Division Bench of this Court in ***the Regional Passport Officer, Chennai Vs. Samsudeen Mohamed Salih and another (W.A.No.902 of 2023, dated 02.06.2023)***, has held that even renewal of the passport cannot be denied merely because the criminal case is pending against the passport holder.

5. In this case, the petitioner has been issued with the passport on 19.10.2022 which is valid upto 18.10.2032. It is the case of the petitioner that the petitioner is in Singapore in connection with employment from 09.12.2024 and continues to be employed in Singapore.

6. Although the petitioner has failed to respond the notice dated 10.01.2024 and has left India on 09.12.2024 in connection with employment in Singapore, the petitioner shall positively appeared before the Additional District Court,



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Sivagangai on 18.09.2025 as the case in S.C.No.160 of 2022 is listed for framing of charges.

7. The petitioner shall surrender the passport to the Court and simultaneously, file an application and seek permission from the Court for travelling back to Singapore in connection with his employment.

8. It is made clear that in case the petitioner fails to appear before the Court on 18.09.2025, the first respondent may take steps to seize or confiscate the passport through its Embassy for Counsellor in Singapore and deport the petitioner back to India.

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

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

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