WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD)No.23361 of 2025

R.Sivaramsankar ... Petitioner

Vs.

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

2.The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the first respondent to process the petitioner's passport Application reference No.24-1001164727 dated 25.01.2024 and issue the passport within a time limit to be stipulated by this Court.

For Petitioner : Mr.J.Vishnu

For R1 : Mr.S.U.Sambath Kumar
Central Government Standing Counsel

https://www.mhc.tn.gov.in/judis

WEB COPY

For R2 : Mr.M.Vaikam Karunanithi
Government Advocate (Criminal side)

****

O R D E R

Heard the learned counsel for the petitioner; the learned Central Government Standing Counsel for the first respondent; and the learned Government Advocate (Criminal Side) for the second respondent.

2. The learned Government Advocate (Criminal Side) for the second respondent submits that the petitioner has been arrayed as an accused in Crime No.645 of 2021, dated 13.12.2021, registered by the second respondent for the offences under Sections 147, 148, 294(b), 427, 323, 324, and 506(ii) of the Indian Penal Code.

3. It is further submitted that a charge sheet has been filed, and the case is pending on the file of the Judicial Magistrate Court No.II, Srivilliputhur, as C.C.No.423 of 2022.

4. In view of the same, this Court is of the opinion that no positive direction can be issued to the first respondent to process the petitioner's passport application at this stage. It is also noted that the petitioner had

https://www.mhc.tn.gov.in/judis

WEB COPY

submitted a passport application as early as in January 2024 and in all probability, the said application may have already been closed.

5. Be that as it may, following the decision in **Regional Passport Officer, Chennai** vs. **Samsudeen Mohamed Salih and another** [W.A.No.902 of 2023, dated 02.06.2023], which has been consistently followed, this Court is inclined to dispose of the writ petition, by granting liberty to the petitioner to move the learned Judicial Magistrate Court No.II, Srivilliputhur, in C.C.No.423 of 2022, by filing a Miscellaneous Application seeking appropriate orders for the first respondent to process the earlier passport application, if it has not already been closed. Alternatively, the petitioner is at liberty to file a fresh application for passport, after obtaining necessary orders from the said Court.

6. This Writ Petition stands disposed of with the above observations. No costs.

NCC : Yes / No
Index : Yes / No
smn2

28.08.2025

https://www.mhc.tn.gov.in/judis

WEB COPY

To

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

2.The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.

https://www.mhc.tn.gov.in/judis

WEB COPY

C.SARAVANAN, J.

smn2

W.P.(MD) No.23361 of 2025

28.08.2025

https://www.mhc.tn.gov.in/judis