

W.P.(MD) No.24524 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2025

CORAM:

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.24524 of 2025

Sureshkumar

... Petitioner

-VS-

- 1.The Regional Passport Officer,
Office of the Regional Passport Office,
Bharathi Ulla Veedhi, Race Course Road,
Madurai 625 002.
- 2.State of Tamil nadu,
rep., by the Inspector of Police,
Thiruppuvanam Police Station, Sivagangai.
- 3.The Inspector of Police,
Thirupachethi Police Station,
Sivagangai.
- 4.The Inspector of Police,
SIPCOT Police Station, Sivagangai.
- 5.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.

... Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to issue the renewal of passport considering his online application in File No.MD 1077198369124 dated 10.12.2024 on the file of the first respondent within the time stipulated by this Court.

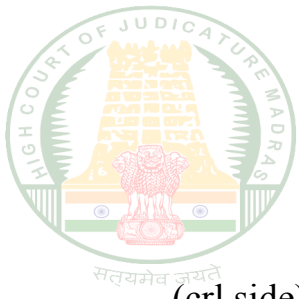
For Petitioner : Mr.V.Selvakumar

For Respondents : Mr.G.Moovendran
CGSC (For R1)
Mr.S.Prakash
Government Advocate (Crl.side)
(for R2 to R5)

ORDER

This writ petition is filed seeking for mandamus directing the first respondent to issue renewal of passport to the petitioner considering his online application in File No.MD 1077198369124 dated 10.12.2024 on the file of the first respondent.

2. Heard the learned counsel appearing for the petitioner and Mr.G.Moovendran, learned Central Government Standing Counsel, who takes notice for the first respondent and Mr.S.Prakash, learned Government Advocate

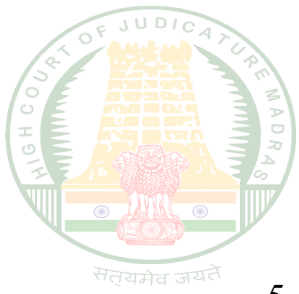


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(crl.side), who takes notice for the respondents 2 to 5. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner would submit that he had originally been issued with the passport bearing No.L5684978 and the same was valid from 17.12.2013 till 16.12.2023. To renew the passport, the petitioner had submitted online application on 10.12.2024. However, the first respondent is not proceeding to re-issue by stating that they were awaiting information from the police as they were informed that the petitioner was involved in criminal case in Crime No.161 of 2022 dated 31.05.2022 on the file of the second respondent. The first respondent called upon the petitioner to submit his explanation and the same was also done by the petitioner, wherein he had clearly stated that the allegation made against him was totally unfounded. The petitioner is not even aware as to whether charge sheet has been framed in the above matter. Therefore, he is before this Court.

4. The learned counsel appearing for the petitioner reiterated the contents of his affidavit.

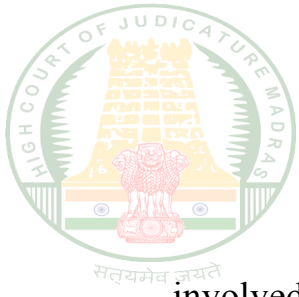


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5. The learned Government Advocate (crl.side) appearing for the second respondent, on instructions, would submit that the petitioner was involved in political agitation and had caused disturbance to the public. In this case, charge sheet is yet to be framed.

6. The petitioner is seeking a renewal of his passport. A Division Bench of this Court in the judgment made in W.A.No.902 of 2023 relying upon the judgment of the Hon'ble Supreme Court in ***Crl.A.No.1342 of 2017*** in the case of ***Vangala Kasturi Rangacharyulu Vs., Central Bureau of Investigation***) and on a judgment of the Division Bench of the Bombay High Court reported in ***2022 SCC online Bom 1992*** in the case of ***Abbas Hatimbhai Kagalwala Vs., State of Maharashtra and another***, had directed the passport authority to process the application for renewal of passport, without insisting on the permission of the Court, where the criminal case is pending, by stating that the passport holder against whom a criminal case is pending proposed to travel abroad, permission of the criminal Court has to be obtained and consequently, directed the passport authority to issue the passport. That apart, in the instant case, the allegation against the petitioner is that he belongs to a particular political party and he was



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involved in agitation. If such a stand is taken, most politician should not be granted passport. Therefore, the first respondent is directed to consider the other factors and issue the renewal of passport to the petitioner. Accordingly, this Writ Petition is allowed. No costs.

11.09.2025

NCC : Yes/No

Index : Yes/No

Rmk

To

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P.T.ASHA, J.

Rmk

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