

W.P.(MD) No.24668 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.24668 of 2025
and W.M.P(MD).No.19364 of 2025

Ranjithkumar

... Petitioner

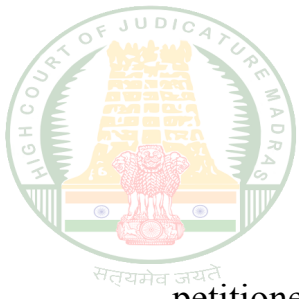
-VS-

1.The Regional Passport Officer,
Government of India,
Ministry of External Affairs,
Regional Passport Office,
Madurai Bharathi Ula Veethi,
Madurai 625 002.

2.The Inspector of Police,
Palani Adivaram Police Station,
Palani, Dindigul District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned communication order issued by the first respondent in his proceedings in letter Ref.No.SCN/1049212163/25 dated 27.05.2025 and quash the same as illegal and consequently direct the first respondent to issue passport to the



W.P.(MD) No.24668 of 2025

petitioner based on the petitioner's file No.MD1065057918225 within a stipulated time limit as fixed by this Court.

For Petitioner : Mr.S.Sarvagan Prabhu
For Respondents : Mr.Muraliganesh (For R1)
Mr.S.Prakash
Government Advocate (Crl.side) (for R2)

ORDER

This petition has been filed to quash the communication order issued by the first respondent in his proceedings in letter Ref.No.SCN/1049212163/25 dated 27.05.2025 and consequently, direct the first respondent to issue passport to the petitioner based on the petitioner's file No.MD1065057918225 within a stipulated time limit as fixed by this Court.

2. Heard the learned counsel appearing for the petitioner, Mr.Muraliganesh, learned counsel, who takes notice for the first respondent and Mr.S.Prakash, learned Government Advocate (Crl.side), who takes notice for the second respondent. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.



W.P.(MD) No.24668 of 2025

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3. It is the case of the petitioner that he has applied for issuance of passport before the first respondent on 20.05.2025 through online. The first respondent called upon the petitioner to give an explanation about the pendency of the FIR in Crime No.286 of 2023 for the offences alleged under Sections 143, 283, 341 of IPC on the file of the second respondent, vide his communication dated 27.05.2025, which is impugned in this petition.

4. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that in the criminal case registered against the petitioner, final report has been filed through e-filing, but it is yet to be taken on file.

5. It is seen from the impugned order itself wherein it has been stated that 'the case is non-taken file'. *Prima facie*, there are no provision under the Passport Act, 1961, that prohibit the respondents from issuing the passport to the applicant merely because an FIR has been registered. Unless the case is made over to the concerned Court, the question of refusing to grant the passport cannot be



W.P.(MD) No.24668 of 2025

WEB COPY

countenanced. In case the petitioner is charge sheeted, it is open to the first respondent to cancel the same. As only the FIR has been registered against the petitioner in the above-mentioned crime number, there cannot be any impediment for the issuance of the passport to the petitioner.

6. In view of the above, the impugned communication order issued by the first respondent in his proceedings in letter Ref.No.SCN/1049212163/25 dated 27.05.2025 is hereby quashed. There shall be a direction to the first respondent to issue a passport to the petitioner strictly in accordance with the provisions of the Act within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

11.09.2025

NCC : Yes/No
Index : Yes/No
Rmk



W.P.(MD) No.24668 of 2025

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W.P.(MD) No.24668 of 2025

P.T.ASHA, J.

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W.P.(MD) No.24668 of 2025

11.09.2025