



W.P.(MD).No.28285 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28285 of 2025

and

W.M.P(MD) No.21992 of 2025

Edward Sujin Vargheese

...Petitioner

Vs

1. The Regional Passport Officer,
Government of India,
Ministry of External Affairs,
Passport Officer, Bharathi Ula Street,
Race Course Road, Madurai – 625 002.

2. The Inspector of Police,
Colachel Police Station,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the concerned records from the 1st respondent, quash the order of the 1st respondent dated 12.09.2025 bearing Letter Ref.No.SCN/1050055880/25 as illegal, arbitrary and contrary to law and consequently direct the respondents to reissue the passport to the petitioner for 10 years on the basis of the Application submitted by the petitioner to the 1st respondent bearing file No.MD4075514994625 dated 20.08.2025 within the time frame stipulated by this Court.



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For Petitioner : M/s.D.Rajaboopathy
For R2 : Mr.S.Prakash
Government Advocate (Criminal Side)

ORDER

The present Writ Petition has been filed seeking to quash the order passed by the first respondent bearing Letter in Ref.No.SCN/1050055880/25, dated 12.09.2025 and directing the respondents to re-issue the passport to the petitioner, based upon his application dated 20.08.2025.

2. The learned Government Advocate (Criminal Side) appearing for the second respondent brought to the notice of this Court that a criminal case is pending as against the writ petitioner in Crime No.523 of 2021 on file of the second respondent. Though a charge sheet has been laid on 12.11.2022, so far the charge sheet has not been taken on file due to defects. The police officials have not yet rectified the defects and represented the same.

3. A perusal of an FIR reveals that the petitioner has been implicated in a criminal case for a wordy quarrel with his neighbour.



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4. This Court in a judgment reported in **2014 8 MLJ 61 (Mr.W.Jaihar Willam Vs.the State of Tamil Nadu)** has held that mere pendency of FIR would not be a legal impediment for issuance of passport.

5. Considering the above said facts, the first respondent is directed to consider the request of the petitioner for re-issuance of passport and pass orders within a period of four weeks from the date of receipt of a copy of this order.

6. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

05.12.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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