



WEB COPY



W.P(MD)No.29219 of 20259

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)Nos.29219 of 2025

T.Govindarajan

..Petitioner

Vs

1.The Regional Passport Officer,
The Regional Passport Office,
New Municipal Complex,
Thillainagar 7th Cross,
Tiruchirappalli – 620 018.

2.The Inspector of Police,
Central Crime Branch (CCB),
O/o The Commissionerate of Police,
Avadi,
Chennai – 600 054.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to issue Police clearance Certificate for Germany by considering the petitioner's PCC application vide file No.TR2084918229825 dated 16.06.2025 within a stipulated period as prescribed by this Court.

For Petitioner : Mr.P.Rengaraju

For Respondents : Mr.K.Govindarajan

Dy. Solicitor General of India assisted
by Mr.B.Ponnupandi
Central Govt. Standing Counsel
(for R1)

Mr.S.Prakash, G.A (Crl.Side) (for R2)



W.P(MD)No.29219 of 20259

ORDER

WEB COPY

This writ petition has been filed seeking issuance of a Writ of Mandamus directing the 1st respondent to issue a Police Clearance Certificate (PCC) for Germany by considering the petitioner's application in File No. TR2084918229825 dated 16.06.2025 within a time limit to be stipulated by this Court.

2. Heard the learned counsel for the petitioner, the learned Deputy Solicitor General of India appearing for the first respondent and the learned Government Advocate (Crl.Side) appearing for the second respondent. Perused the records.

3. The petitioner states that he intended to secure employment abroad and was issued a passport on 24.08.2015 from Trichy. The said passport was later lost, and a fresh passport bearing No. P1377601 dated 22.11.2016 was issued. On receiving a job offer from Germany, the petitioner applied for a Police Clearance Certificate on 16.06.2025. When he appeared at PSK, Trichy, he was informed that Crime No.89/2016 appeared in the records. He was directed to approach the 1st respondent after police verification. The 1st respondent issued a notice on 20.06.2025 asking him to appear with documents, citing discrepancy in the spelling of his name in Aadhaar and the passport, which he subsequently rectified.



W.P(MD)No.29219 of 20259

WEB COPY

4. It is the petitioner's further case that the 1st respondent informed him that his old passport was among several passports seized from an agent involved in Crime No.89/2016 and that the Police Clearance Certificate application would be processed only after receiving clarification from the 2nd respondent regarding his involvement in the said crime.

5. According to the petitioner, he had handed over his earlier passport to an agent through his uncle for visa processing and later came to know that the agent had lost it. Based on advice from the passport office, he lodged a missing complaint with the police and obtained a re-issued passport. He asserts that he was never involved in the alleged crime and seeks directions for issuance of PCC.

6. The 2nd respondent, in the counter, details the investigation in Crime No.89/2016 involving counterfeit passports, wherein several accused persons were arrested and 36 passports seized including one belonging to the petitioner. It is pointed out that the petitioner claimed the passport was lost on 05.10.2016, whereas the seizure from the accused occurred earlier on 14.06.2016, creating a contradiction and indicating negligence on the part of the petitioner.



W.P(MD)No.29219 of 20259

WEB COPY

7. Upon perusal of the materials placed before this Court, it is evident that no criminal case has been registered against the petitioner himself in Crime No. 89/2016. The petitioner is not shown as an accused, nor there is any material indicating his complicity. The mere fact that the petitioner's old passport was found in the possession of an accused cannot, by itself, be a bar for issuance of Police Clearance Certificate, particularly when the petitioner had taken steps to report the loss and obtained a re-issued passport. The pendency of investigation or prosecution against third parties cannot indefinitely stall a citizen's statutory right to have his Police Clearance Certificate application considered. The difference in dates regarding the missing complaint and seizure, though noted, cannot be the sole ground to deny a certificate when there is no adverse material against the petitioner. It is well settled that the Police Clearance Certificate can be denied only if there exists a subsisting criminal case or adverse material directly attributable to the applicant. In the present case, such material is admittedly absent.

8. In view of the above facts and considering that the petitioner seeks Police Clearance Certificate for employment abroad, this Court is of the opinion that the petitioner's application is required to be processed without further delay.



W.P(MD)No.29219 of 20259

WEB COPY

9. Accordingly, this writ petition stands allowed. The 1st respondent is directed to issue the Police Clearance Certificate to the petitioner in respect of File No.TR2084918229825 dated 16.06.2025, within a period of two weeks from the date of receipt of a copy of this order and upload the same in the official portal simultaneously. No costs.

04.11.2025

NCC : Yes/No

Index : Yes/No

Internet:Yes

skn

To

1.The Regional Passport Officer,
The Regional Passport Office,
New Municipal Complex,
Thillainagar 7th Cross,
Tiruchirappalli – 620 018.

2.The Inspector of Police,
Central Crime Branch (CCB),
O/o The Commissionerate of Police,
Avadi,
Chennai – 600 054.



WEB COPY



W.P(MD)No.29219 of 20259

P.T.ASHA, J.

skn

Writ Petition(MD)Nos.29219 of 2025

04.11.2025