



W.P.(MD)No.35094 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.12.2025

CORAM:

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.35094 of 2025

Abdul Rahuman

... Petitioner

Vs.

1. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ulaa Street,
Racecourse Road,
Madurai.

2. The Inspector of Police,
Melapalaiyam Police Station,
Tirunelveli.

... 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 a passport to the petitioner by processing the petitioner's application in File NO.MD2065818489925 based on the petitioners representation dated 29.10.2025 within a time limit stipulated by this Honble Court.

For Petitioner	: A.Sheik Nasurdeen
For R1	: Mr.M.Anbarasi Central Government Standing Counsel
For R2	: M/s.M.Aasha Government Advocate (Crl.Side)



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ORDER

The present writ petition has been filed seeking a mandamus as against the 1st respondent to consider the request of the petitioner for issuance of the Passport, based upon his application dated 29.10.2025.

2. When the petitioner has applied for passport, he had enclosed the birth certificate said to have been issued by the Tirunelveli City Corporation indicating date of birth as 12.05.1989. On verification, the 1st respondent found that the birth certificate submitted by the petitioner is a fake one. Therefore, he has lodged a complaint before the 2nd respondent police and a case is registered in Cr.No.929 of 2013 on 04.10.2013.

3. The learned Government Advocate (Crl.Side) appearing for the 2nd respondent brought to the notice of the Court that so far investigation has not been completed and charge sheet has not been laid.



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4. According to the learned counsel appearing for the writ petitioner, he had approached the learned Judicial Magistrate No.V, Tirunelveli by filing a petition in Cr.M.P.No.1070 of 2012. The learned Judicial Magistrate No.V, Tirunelveli directed the authorities to issue a fresh birth certificate to the petitioner and the Registrar of Births and Deaths, Tirunelveli Municipal Corporation has issued a birth certificate to the petitioner, wherein the date of birth is 12.05.1989.

5. The learned counsel appearing for the petitioner has also produced the other school records which indicate the date of birth as 12.05.1989.

6. Considering the fact that the Charge Sheet has not been laid for the past 12 years and in the light of the judgment reported in **2014 8 MLJ 61**, mere pendency of FIR would not be a legal impediment for issuance of a passport.



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7. In view of the above said facts, the 1st respondent is directed to consider the request of the petitioner and pass orders within a period of four weeks from the date of receipt of a copy of this order.

8. The writ petition stands disposed of with the above observations.

No costs.

17.12.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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To

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R.VIJAYAKUMAR, J.

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