



*W.P.(MD)No.97 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.01.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.97 of 2025

L.Anandhu

... Petitioner

Vs.

1. The Regional Passport Officer,  
Regional Passport Office,  
Thiruchirappalli New Municipal Complex,  
Thillai Nagar, 7<sup>th</sup> Cross,  
Thiruchirappalli – 620 018.

2. The Inspector of Police,  
Thirumanur Police Station,  
Ariyalur District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the first respondent to consider the petitioner's explanation dated 16.12.2024 in pursuant to the Show Cause Notice dated 12.12.2024 with regard to the passport No.C5238623, dated 22.11.2024 in the light of the order passed in the case of W.Jaihar William Vs. State of Tamil Naud – 2014 (2) CWC 684.



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For Petitioner : Mr.N.Ananda Kumar  
For R-1 : Mr.M.Rajendran,  
Central Government Standing Counsel  
For R-2 : Mr.K.Gnanasekarn  
Government Advocate (Crl. side)

### **ORDER**

By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2. The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Mandamus, to direct the first respondent to consider the petitioner's explanation dated 16.12.2024 in pursuant to the Show Cause Notice dated 12.12.2024 with regard to the passport No.C5238623, dated 22.11.2024 in the light of the order passed in the case of W.Jaihar William Vs. State of Tamil Naud – 2014 (2) CWC 684.”

3. The petitioner has made an application on 09.07.2014, for renewal of passport and a new passport has been issued to the petitioner bearing Passport No.C5238623 dated 22.11.2024. While so, on receipt of adverse police verification report, the first respondent had issued a show cause notice on 12.12.2024, required an explanation from the petitioner. Hence, the Writ



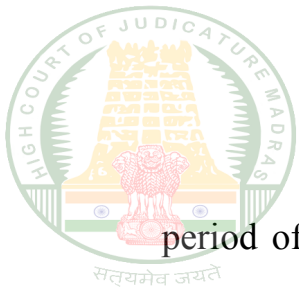
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Petition is filed, to direct the first respondent to consider the explanation of the petitioner with regard to the passport.

4. The learned Government Advocate (Crl.) appearing for the second respondent on instructions would submit that FIR was registered by the second respondent under Sections 143, 188 of IPC and 11(1)(a) of Prevention of Cruelty to Animals Act, 1960 and the same has culminated in laying a charge sheet in E-filing CCLTN2022000222TC 202500004, dated 04.01.2025 before the learned Judicial Magistrate No.II, Ariyalur.

5. Heard the learned counsels on either sides and carefully perused the materials available on record.

6. The petitioner is given liberty to move the Judicial Magistrate No.II, Ariyalur, for the relief now sought for. As and when such miscellaneous petition is filed, it shall be numbered and disposed of within a period of three days thereafter. The learned trial Judge shall bear in mind that right to travel abroad is a fundamental right. The petitioner's career and avocation may be at stake if he is denied the right to go abroad. Therefore, the trial Court unless there are extraordinary circumstances shall not deny relief. Of course, the



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period of validity of passport will have to be restricted. It is also open to the trial Judge to stipulate appropriate conditions to ensure that the prosecution is not stalled on account of the petitioner's absence from India. If necessary, the applicant can be directed to file an application under Section 228 of BNSS, 2023 by executing a special vakalat.

7. Based on the order passed by the trial Court, the petitioner shall move the jurisdictional regional passport officer who shall dispose of the petition-mentioned application in terms of the said order.

8. The writ petition is allowed on these terms. There shall be no order as to the costs.

**06.01.2025**

NCC : Yes / No  
Index : Yes / No  
jbr

**TO:-**

1. The Regional Passport Officer,



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2. The Inspector of Police,  
Thirumanur Police Station,  
Ariyalur District.

**L.VICTORIA GOWRI, J.**



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Order made in  
W.P.(MD)No.97 of 2025

Dated  
06.01.2025