



WA No.1032 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G. ARUL MURUGAN

WA No.1032 of 2026

Moosa Shariq Sina Abul Kasim

.. Appellant

-VS-

1. The Regional Passport Officer,
Regional Passport Office,
Rayala Towers, 4th Floor,
158, Anna Salai, Chennai 600 002.
2. The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi, Race Course Road,
Madurai 625 002.
3. The Assistant Director,
Directorate of Enforcement,
Chennai Zonal Office,
No.2, 5th and 6th Floor, BSNL Administrative
Building, Kushkumar Road,
Nungambakkam, Chennai 600 034.

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the Judgment dated 23.03.2026 passed in 6575 of 2026 on the file of this Court.

For Appellant : Mr.Nithyaesh Natraj



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for M/s.SRILAW Associates

For Respondent

: Mr.P.Siddharthan
Spl. Public Prosecutor for ED Cases

* * * * *

JUDGMENT

(Judgment of the Court was
delivered by the Hon'ble Chief Justice)

This writ appeal assails the order dated 23.03.2026 passed in
W.P.No.6575 of 2026 praying for the following relief:

*" For issuance of Writ of Mandamus directing the first and
second respondents to forthwith renew and re-issue the
passport of the petitioner without insisting upon any No
Objection Certificate from the third respondent."*

2. Learned counsel for the appellant/writ petitioner submits that
the learned Single Judge disposed of the writ petition as per Para 9 (i)
and (ii), which reads as under:

*9. Since the present issue is also one and the similar,
therefore, following the said judgment of this Court, the following
orders are passed:*

*"(i) The respondent Nos.1 and 2 are directed to process the
application of the petitioner without insisting for any No Objection
Certificate from the third respondent and decision shall be taken as*



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above, within a period of four weeks from the date of receipt of a copy of this order.

(ii) If the petitioner wants to travel abroad, he has to get necessary permission from the Enforcement Directorate where the investigation is pending against him."

3. Learned counsel for the appellant submitted that the appellant is aggrieved by sub-clause (ii) of Para 9 of the order, which directs the appellant to seek necessary permission from the Enforcement Directorate where the investigation is pending against him, if he wants to travel abroad. He has pointed out that in the earlier writ petition filed by the appellant/petitioner, i.e., W.P. (Crl.) No.597 of 2025, this Court vide order dated 04.09.2025, while directing the respondents to keep the Lookout circular in abeyance, passed the following order:

"6. Considering the above facts and circumstances and also the undertaking given by the petitioner, this Court is inclined to issue appropriate directions to the respondents to keep the Lookout Circular in abeyance which will ensure the free movement of the petitioner from India to other foreign countries. If ultimately the petitioner goes against the undertaking or does not co-operate for the enquiry, the Lookout Circular can once again be renewed or can be issued afresh against the petitioner.

7. Accordingly, there shall be a direction to the petitioner to go over to the office of the second respondent and give an



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affidavit of undertaking before the second respondent that he will attend the enquiry or appear during the proceedings as and when required by the second respondent.

8. *On such undertaking being given by the petitioner, the second respondent shall take steps to keep the Lookout Circular in abeyance to ensure the free movement of the petitioner from and to India."*

4. Learned counsel for the appellant submitted that the learned Single Judge committed an error in passing the direction as contained in Para 9(ii), when, in the earlier round, it was directed that on the undertaking given by the petitioner, the second respondent shall take steps to keep the Lookout circular in abeyance and ensure the free movement of the petitioner from and to India.

5. Learned counsel for the respondents submitted that the Lookout circular has been kept in abeyance and has not been extended. He submitted that the appellant has already given an undertaking affidavit on 10.09.2025. Learned counsel for the appellant submitted that the appellant is also ready to give further undertaking in compliance of the order passed by the learned Single Judge and shall also disclose the travel plans of the appellant, if and when occasion arises.



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6. In view of the aforesaid, we delete the direction contained in sub-clause (ii) of Para 9 of the impugned order and as submitted by the learned counsel for the appellant and as observed in the earlier order, we direct the appellant/writ petitioner to go over to the office of the third respondent or the competent authority and give an affidavit of undertaking that the appellant/writ petitioner will attend the enquiry or appear during the proceedings as and when required by the authorities. In addition, as consented by the learned counsel for the appellant, the appellant/writ petitioner shall also disclose the travel plans, if and when occasion arises.

With the aforesaid modification, this writ appeal stands disposed of. There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI, C.J.) (G.ARUL MURUGAN, J.)
11.06.2026

Index : Yes/No
Neutral Citation : Yes/No
sra



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THE HON'BLE CHIEF JUSTICE
AND
G. ARUL MURUGAN, J.

(sra)

To

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