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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.No.43529 of 2026
CNR: {HCMA012566522026}

N.Zabiullah

..Petitioner(s)

Vs

1. The Regional Passport Officer,
   Regional Passport Office, Chennai,
   Royala Towers, No.2 & 3, IV Floor,
   Old No.785, New No.158, Anna Salai,
   Chennai – 600 002.

2. The Inspector of Police,
   Hosur Town Police Station,
   Hosur, Krishnagiri District – 635 109.

..Respondent(s)

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioner's application bearing File No.MA1077085058324 dated 04.11.2024 and consequently re-issue the petitioner's passport with regular validity, within a time frame to be fixed by this Court.

For Petitioner(s): Mr.L.S.M.Hasan Fizal
for M/s.M.Azizulla Khan

For Respondent(s): Mr.M.Sathyan
Central Government Standing Counsel [R1]

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ORDER

Heard Mr.L.S.M.Hasan Fizal, learned counsel for the petitioner and Mr.M.Sathyan, learned Central Government Standing Counsel appearing for the 1st respondent.

2. The petitioner was issued with a passport bearing No.K7196664 on 23.11.2012 and this expired on 22.11.2022. Thereafter, he filed an application seeking issuance of a fresh passport, and this application was kept pending. On verification, he came to know that it is on account of the criminal proceedings that had been initiated against him under the Customs Act. The petitioner proposes to travel to Saudi Arabia for the performance of Umrah as his religious obligation. As he has not been issued with a passport and since his application dated 04.11.2024 is pending, he is before this Court.

3. Mr.M.Sathyan submits that, despite the issuance of a show cause notice, the petitioner has not appeared before the respondents to satisfy them on their queries. Hence, the application has not been processed.

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4. The position of law has been settled. Even if a criminal complaint is pending, a passport can be issued for a limited period of time, so as to enable a person to travel abroad.

5. As on today, the petitioner claims that only a civil liability is pending and the matter is on appeal before the Commissioner of GST and Central Excise (Appeals), Tiruchirappalli. Instead of trotting out explanation to this Court, it is for the petitioner to appear before the 1st respondent and convince him as regards the pendency of the appeal and his necessity to go on his religious trip.

6. Hence, the petitioner shall appear before the 1st respondent on 05.11.2026 at 11.00 a.m. Depending upon the nature of enquiry, the 1st respondent shall pass appropriate orders on the issuance of a passport for a limited period to the petitioner, within a period of four (4) weeks from the date of enquiry, i.e., 05.11.2026.

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V.LAKSHMINARAYANAN, J.

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7. With the above directions, this Writ Petition is disposed of. No costs.

23-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
sp

To

1. The Regional Passport Officer,
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