



W.P.(MD)No.9066 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.9066 of 2026

Kumaravel

... Petitioner

vs.

1.The Regional Passport Officer,  
Passport Service Centre,  
No. 207/7 D Old No 201/7 Medical College Road,  
Thanjavur.

2.The Inspector of Police,  
Thiruvidaimarudur Police Station,  
Thanjavur District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents herein to grant permission to go abroad without insisting on production of the Police Clearance Certificate by considering the petitioner's representation dated 05.03.2026 within the time stipulated by this Court.

|                |                                     |
|----------------|-------------------------------------|
| For Petitioner | :Mr.B.Jameelarasu                   |
| For R1         | :Ms.T.Saroja                        |
|                | Central Government Standing Counsel |
| For R2         | :Mr.R.Mohamed Riyaz                 |
|                | Government Advocate (Crl.side)      |

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## **ORDER**

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Heard Mr. B. Jameelarasu, learned counsel appearing for the petitioner; Ms. T. Saroja, learned Central Government Standing Counsel, who accepts notice on behalf of the first respondent; and Mr. R. Mohamed Riyaz, learned Government Advocate (Criminal Side), who accepts notice on behalf of the second respondent.

2.The petitioner is before this Court seeking issuance of a Writ of Mandamus directing the respondents to permit the petitioner to travel abroad without insisting upon the production of a Police Clearance Certificate, by considering the petitioner's representation dated 05.03.2026.

3.The facts, in brief, are that the petitioner has been issued a passport. Subsequently, a criminal case came to be registered against the petitioner. Upon completion of the investigation, a final report/charge sheet was filed before the jurisdictional Court, and cognizance of the offences alleged against the petitioner has been taken in C.C. No.78 of 2026 on the file of the District Munsif-cum-Judicial Magistrate,



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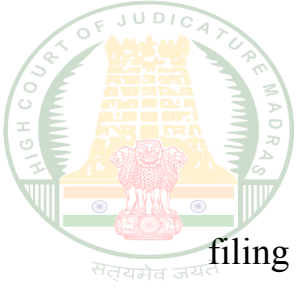
Thiruvidaimarudur, Thanjavur District.

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4.The relief sought for by the petitioner cannot be granted by the respondents. Once criminal proceedings are pending before a competent criminal court, any request by the accused to travel abroad can only be considered by the Court before which the criminal case is pending. The respondents do not possess the authority to grant such permission in derogation of the jurisdiction of the trial court.

5.In view of the above, this Court is of the considered opinion that the petitioner must necessarily approach the jurisdictional trial court seeking appropriate permission to travel abroad.

6.Accordingly, the writ petition stands disposed of, preserving liberty to the petitioner to file an appropriate application before the jurisdictional trial court seeking permission to travel abroad. If such an application is filed, the trial court shall consider and dispose of the same on its own merits and in accordance with law, as expeditiously as possible, preferably within a period of four (4) weeks from the date of



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filing of such application.

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7. There shall be no order as to costs.

Index : Yes / No  
Internet : Yes / No  
NCC : Yes / No

**01.06.2026**

cmr

To

1. The District Munsif cum Judicial Magistrate,  
Thiruvidaimaruthu, Tanjavur District.

2. The Inspector of Police,  
Thiruvidaimarudur Police Station,  
Thanjavur District.



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**HEMANT CHANDANGOUDAR, J.**

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