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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

WP No. 40299 of 2026

Case QR

CNR:{HCMA012378302026}

A.G.Perarivalan

Petitioner(s)

Vs

1. The Regional Passport Office-Chennai
Represented by its Regional Passport Officer,
Royala Towers No.2 nd 3, IV Floor,
Old No.785, New No.158, Anna Salai,
Chennai-600 002, Tamil Nadu.

2.The Passport Seva Kendra-Tambaram
Represented by its Officer-in-Charge,
Claret Complex, Duraisamy Reddy Street,
Tambaram, Chennai-600 045, Tamil Nadu.

3.The Superintendent of Police,
Tirupathur District.

(R3 Suo motu impleaded vide order dated
01.10.2026 made in W.P.No.40299 of 2026)

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the Respondents herein to consider and dispose of the Petitioner's representation dated 01.09.2026, seeking expeditious disposal of the pending Passport Application bearing File No.MA3067042901524, within a time frame to be stipulated by this Court.

For Petitioner(s): Ms.RA.Parkavi

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For Respondent(s): Mr.U.M.Shankaar
Central Government Standing
Counsel for R1 and R2
Mr.Durai Gunasekaran
Government Advocate (Crl.Side)
for R3

ORDER

This writ petition has been filed seeking a direction to the respondents herein to consider and dispose of the petitioner's representation dated 01.09.2026, which seeks the expeditious disposal of his pending Passport Application bearing File No.MA3067042901524, within a time frame to be stipulated by this Court.

2. The case of the petitioner is that he applied for the issuance of a fresh passport under the Normal Scheme through the Passport Seva Online portal, registering on 06.05.2024. He appeared for his scheduled appointment at the Passport Seva Kendra, Tambaram, on 21.10.2024, where his application was registered under File No.MA3067042901524 and placed "On Hold" pending police verification. Pursuant thereto, a Police Verification request was subsequently initiated on 22.10.2024 and forwarded to Jolarpettai Police Station, Tirupathur District. As directed, the petitioner also visited the Regional Passport Office, Chennai, on 25.10.2024.

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2.1. Despite cooperating fully and completing all necessary formalities, his application has remained pending and undisposed for nearly two years. Therefore, the petitioner submitted a representation on 01.09.2026 to the respondents requesting speedy disposal of his application; however, no action has been taken on the said representation.

2.2. The petitioner contends that this prolonged, unexplained inaction by the respondents is causing him grave hardship, especially as it delays his plan to travel abroad for higher studies. Hence, the petitioner has filed the present petition.

3. Heard both sides and perused the materials available on record.

4. Admittedly, the petitioner herein was convicted by the designated TADA Court for offences under the Arms Act, 1959, the Explosive Substances Act, 1908, the Passports Act, 1967, the Foreigners Act, 1946, the Indian Wireless Telegraphy Act, 1933, and the Terrorist and Disruptive Activities (Prevention) Act, 1987 (TADA), and was initially sentenced to death. The said conviction and sentence was subsequently considered by the Hon'ble Supreme Court, which, by its judgment dated 18.02.2014, commuted the death sentence to imprisonment for life. Thereafter, the petitioner preferred criminal appeals

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viz., Crl.A.Nos.833-834 of 2022, arising out of SLP (Crl.) Nos.10039-10040 of 2016.

5. Taking into consideration the period of sentence already undergone by the petitioner, the Hon'ble Supreme Court by its order dated 18.05.2022, set the petitioner at liberty forthwith. The status report filed by Mr.S.Vijayabaskar, the Inspector of Police, Jollarpettai Police Station also indicates that the respondent police have been monitoring the activities and residence of the petitioner regularly. In other words, the petitioner continues to be within the radar of the police. Ultimately, in Para No.10 of the counter affidavit, the Inspector of Police, stated as under:

> *"10. It is respectfully submitted that it was ascertained that no criminal case is presently pending against the petitioner in the records of Jolarpet Police Station from his release from the incarceration on 18.05.2022 to till date."*

6. Considering the fact that the petitioner has been set at liberty by the Hon'ble Supreme Court, the reluctance on the part of the Passport Authority to process the petitioner's passport application, solely on the ground that they were awaiting the report of the Police Department is not correct.

7. The counter affidavit now filed by the Inspector of Police, Jolarpettai Police Station, Thirupathur District, can be taken as the Police Verification

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report, as the counter also contains the details of the petitioner's mother and siblings.

8. The Full Bench of this Court in W.P.(MD) No.26547 of 2025, dated 09.02.2026 [*Jawahar Rajan Vs The Regional Passport Officer*], has held that the pendency of a criminal case would not be an absolute bar to the issuance of a Passport.

9. In the instant case, the sentence itself has now been modified by setting the petitioner at liberty. Therefore, a writ of mandamus is issued to the 2nd respondent to dispose of the petitioner's passport application bearing File No.MA3067042901524, by considering the counter affidavit filed by the Inspector of Police, Jolarpettai Police Station, Thirupathur District, as the police verification report. The aforesaid exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

10. With the above direction, this writ petition is disposed of. No costs.

28-10-2026

Jd

Neutral Citation:Yes/No

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To

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