

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2026

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP CrI.No.2113 of 2026

R.Ramaswamy

Petitioner(s)

Vs

1. The Regional Passport Office
First Floor, Corporation Commercial Complex, Opp.
Thandumariamman Koil, Avinashi Road,
Coimbatore - 641018.

2.State represented by The Inspector of Police
C-2 Race Course Police Station, Coimbatore.

Respondent(s)

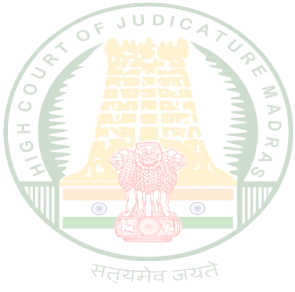
PRAYER

To issue a WRIT OF CERTIORARIFIED MANDAMUS or any other writ, order or direction or nature of writ to direct the respondents to quash the impugned order of the 1st respondent passed dated 05.08.2026 vide File No.CB21C5037460518 and Letter Ref.No.IMP/1056288440/26, pass such other order or orders as this Hon'ble Court may deem fit and proper and thus render justice.

For Petitioner(s): Ms.C.Petricia Joany

For Respondent(s): Mr.A.Kumaraguru
Senior Central Government Standing Counsel for R1

Mr.Arun Anbumani
Additional Public Prosecutor for R2



ORDER

Heard Ms.C.Petricia Joany for the petitioner, Mr.A.Kumaraguru, Senior Central Government Standing Counsel for 1st respondent and Mr.Arun Anbumani, Additional Public Prosecutor for 2nd respondent.

2.The petitioner challenges the order passed by the 1st respondent, whereby, he was called upon to return the passport that had been issued to him on account of the fact that a proceeding has been initiated by his spouse in DVC.No.201 of 2025 on the file of Chief Judicial Magistrate, Special Court to try case filed under Protection of Women from Domestic Violence Act, Coimbatore. It is the plea of the petitioner that proceedings are pending between himself and his wife before the Family Court at Coimbatore. He alleges that the wife has initiated DVC proceedings against him and that is also pending. Taking note of the DVC proceeding and treating it as a criminal proceeding, the petitioner has been called upon to surrender the passport. The petitioner states that he intends to do Post Doctoral Fellowship abroad and if the impugned order is given effect to, he would be put to serious prejudice.

3.Heard the submissions of both sides and have gone through the records.



4.A DVC proceeding, till it arrives at the stage of Section 31 of the Protection of Women from Domestic Violence Act, 2005, is one of civil flavour.

It is not a criminal proceeding. On account of the dispute between the spouses, the husband or the wife cannot be denied the right to travel abroad. The purpose of conferring the power on the 1st respondent to revoke the passport is to ensure that the holder of the passport appears before the Court, in case, he faces a criminal proceeding. As this Court has concluded that the proceedings are not criminal in nature, the impugned order deserves to be set aside. Accordingly, the impugned order passed by the 1st respondent dated 05.08.2026 is set aside.

5.In the result, this Writ Petition stands allowed. No costs.

20-08-2026

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.The Regional Passport Office

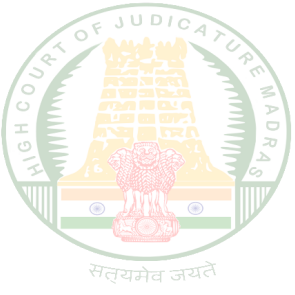
First Floor, Corporation Commercial Complex, Opp.

Thandumariamman Koil, Avinashi Road, Coimbatore - 641018.

2.The Inspector of Police,

C-2 Race Course Police Station, Coimbatore.

3.The Public Prosecutor, High Court of Madras, Chennai.



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V.LAKSHMINARAYANAN J.

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