



W.P.(MD)No.6331 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.03.2026

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THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.6331 of 2026

Jegatheesh

... Petitioner

vs.

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road, Madurai - 625 002.

2.The Inspector of Police,
Dhanuskodi Police Station,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st respondent to issue the fresh passport to the petitioner by considering his application taken on file as File No.MDA066343356426 dated 04.02.2026 within the time that may be stipulated by this Court.

For Petitioner	:Mr.K.Yasar Arafath
For R1	:Mr.S.Poornachandan
	Central Government Standing Counsel
For R2	:Mr.M.Vaikkam Karunanithi
	Government Advocate (Crl.side)



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ORDER

The petitioner is before this Court seeking issuance of a Writ of Mandamus directing the first respondent to issue a fresh passport based on his application in File No. MDA066343356426 dated 04.02.2026.

2. The grievance of the petitioner is that, though an application has been submitted for issuance of a fresh passport, the same has not been processed by the first respondent. According to the petitioner, the application has been kept pending on the ground that a criminal case has been registered against him.

3. Mr. M. Vaikkam Karunanithi, learned Government Advocate (Criminal Side) appearing for the second respondent, on instructions, submitted that a criminal case has been registered against the petitioner and a charge sheet has also been filed; however, cognizance has not yet been taken.



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4. Mr. S. Poornachandran, learned counsel for the first respondent, submitted that the petitioner had earlier filed an application for issuance of a passport and, while the same was pending, the present application has been filed.

5. Mr. K. Yasar Arafath, learned counsel for the petitioner, submitted that the earlier application was filed in the year 2022 and, since the petitioner was advised to file a fresh application, the pendency of the earlier application cannot be put against the petitioner while considering the present application.

6. Heard the learned counsel appearing on either side and perused the materials available on record.

7. The refusal to issue or renew a passport is governed by the provisions of the Passports Act, 1967. Under Section 6 of the said Act, the Passport Authority is empowered to refuse issuance or renewal of a passport only in the circumstances specifically enumerated therein. One such circumstance is when proceedings in respect of an offence alleged



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to have been committed by the applicant are pending before a criminal court in India.

8. In the present case, the only reason cited for withholding the petitioner's application is that criminal cases have been registered against him. However, no criminal proceedings are pending against the petitioner before any competent criminal court. The statutory bar under Section 6 would arise only if proceedings are pending before a criminal court.

9. Therefore, the action of the first respondent in withholding the petitioner's application for issuance of a fresh passport is contrary to the provisions of Section 6 of the Passports Act, 1967.

10. In view of the above, this Court finds merit in the petitioner's contention.

11. Accordingly, the writ petition is allowed and the first respondent is directed to process the petitioner's application for issuance of a fresh passport bearing File No. MDA066343356426 dated



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04.02.2026 and issue the passport, subject to the petitioner satisfying all other eligibility criteria prescribed under law.

12. The above exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

13. No costs.

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

27.03.2026

cmr

To

The Inspector of Police,
Dhanuskodi Police Station,
Ramanathapuram District.



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HEMANT CHANDANGOUDAR, J.

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