



W.P(MD)No.19065 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.19065 of 2026

and

WMP (MD) No.14095 of 2026

Vijay

... Petitioner

Vs

1. The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
7th Cross,
Tiruchirappalli,
Trichy District.

2. The Inspector of Police,
Gandarvakkottai Police Station,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the letter dated 03.06.2026 in File No. TR1076559604226, Letter Ref. No.OBJ/1055276174/2026 issued by the 1st respondent and quash the same and consequently directing to the 1st respondent to re-issue/renew the petitioners passport bearing No. P2450262 within the period that may be



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stipulated by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr. V.G.Vallarasu Chezhiyan

For Respondents : Mr.C.Manikandan (R1)
Central Government Standing Counsel

: Mr.R.Mohamed Riyaz (R2)
Government Advocate (Criminal Side)

ORDER

This Writ Petition has been filed seeking the issuance of a writ of Mandamus directing the first respondent to issue passport to the petitioner based on his application dated 22.06.2026 in file No. MD1077014239226 on the file of 1st respondent within the time stipulated by this Court.

2.Heard Mr.V.G.Vallarasu Chezhiyan, learned counsel appearing for the petitioner, Mr.C.Manikandan, 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.



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3.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

4.The learned counsel appearing for the petitioner submitted that the petitioner had made an application for issuance of his passport. However, the same has not been disposed of on the ground that a criminal case is pending against him. Hence, the present Writ Petition has been filed seeking the aforesaid relief.

5.The learned Central Government Standing Counsel appearing for the first respondent submitted that, since a criminal case is pending before the competent criminal Court, the petitioner has to approach the said Court, obtain its prior permission and produce the order along with his application, as contemplated under the Passport Act and the Passport Manual. Accordingly, he prayed for appropriate orders.

6.The learned counsel appearing for the petitioner submitted that the



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7.The issue involved in the present Writ Petition is no longer res integra. The same has been decided by 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 and another]***, wherein paragraphs 20 and 21 read as follows:

“20.In fine, the question of reference is answered affirmatively that reissue / renewal of a passport has to be treated by the Passport Officer in the same manner as the issuance of a fresh passport. In other words, the rigor of Section 6(2)(f) of the Act subject to exemption under GSR 570(E) dated 25.08.1993 and the instructions in OM dated 10.10.2019 will apply to all applicants either as a fresh application or renewal / reissue.

21.Insofar as the case in hand, on the date of application for passport under TATKAAL scheme a criminal case against the writ petitioner pending trial before the Judicial Magistrate Court No.I, Madurai, in C.C.No.1730 of 2022, after taking cognizance. Therefore, he has to get prior permission of the Court concerned and submit the same along with his application, as contemplated under the Passport Act and Manual.”



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8. Following the decision cited supra, this Court is inclined to set aside the impugned communication. Accordingly, the communication in File Reference No.TR1076559604226, dated 03.06.2026 of the first respondent is set aside. The first respondent is directed to process the application of the petitioner without insisting the permission of the Court, where the criminal case is pending against the petitioner and take appropriate decision, within a period of six weeks from the date of receipt of a copy of this order. If the petitioner wants to travel abroad, then the petitioner has to get necessary permission from the Court where the criminal case is pending against the petitioner.

9. With the above observations and directions, the writ petition stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

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NCC : Yes / No
Index : Yes / No
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To

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M.DHANDAPANI, J.

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