



W.P(MD)No.19648 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.19648 of 2026

Suresh

... Petitioner

Vs

1. The Regional Passport Officer,
Regional Passport Office, Madurai.

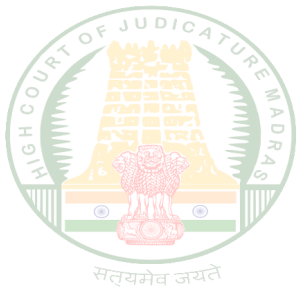
2. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to renew and reissue petitioner passport bearing passport No.RO924647 by considering application bearing passport application No.MD2076906761526 and petitioner representation dated 23.06.2026.

For Petitioner : Ms.Anusha

For Respondents : Mr.M.Murugan (R1)
Central Government Standing Counsel



WEB COPY

W.P(MD)No.19648 of 2026

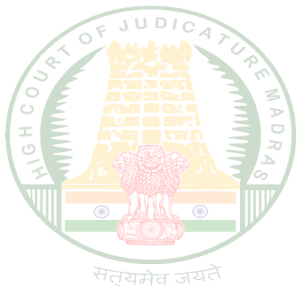
: Mr.R.Mohamed Riyaz (R2)
Government Advocate (Criminal Side)

ORDER

This Writ Petition has been filed seeking the issuance of a writ of Mandamus directing the 1st respondent to renew and reissue petitioner passport bearing passport No.RO924647 by considering application bearing passport application No.MD2076906761526 and petitioner representation dated 23.06.2026.

2.Heard Ms.Anusha, learned counsel appearing for the petitioner, Mr.M.Murugan , 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.

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



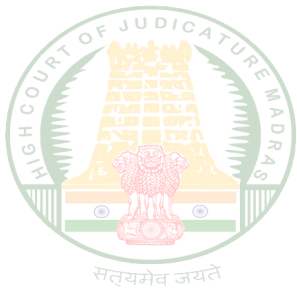
W.P(MD)No.19648 of 2026

WEB COPY

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 petitioner may be permitted to approach the competent criminal Court for appropriate orders.



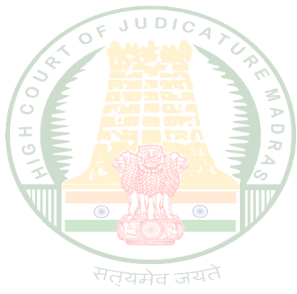
W.P(MD)No.19648 of 2026

WEB COPY

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.”



W.P(MD)No.19648 of 2026

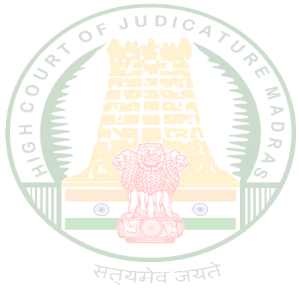
WEB COPY

8. Applying the ratio laid down by the Full Bench of this Court in W.P(MD)No.26547 of 2025, dated 09.02.2026, the petitioner is directed to approach the competent criminal Court, obtain the prior permission of the Court concerned, and submit the order along with his application, as contemplated under the Passport Act and the Passport Manual. Upon such submission, the first respondent shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of six (6) weeks from the date of receipt of the order of the competent criminal Court.

9. With the above observations and directions, the writ petition stands allowed. No costs.

13.07.2026

NCC : Yes / No
Index : Yes / No
PKN



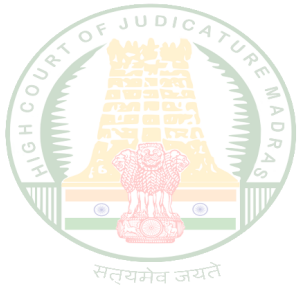
W.P(MD)No.19648 of 2026

WEB COPY

To

1. The Regional Passport Officer,
Regional Passport Office, Madurai.

2. The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.



WEB COPY



W.P(MD)No.19648 of 2026

M.DHANDAPANI, J.

PKN

W.P(MD)No.19648 of 2026

13.07.2026