



W.P(MD)No.19511 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.19511 of 2026
and W.M.P(MD)No.14405 of 2026

P.Rishikesan

... Petitioner

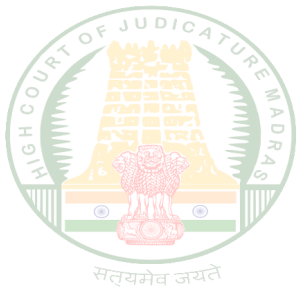
Vs

1.The Regional Passport Officer,
Regional Passport Office,
7th Cross, New Municipal Complex,
Thillai Nagar, Thiruchirappalli - 620 018.

2.The Inspector of Police,
Ammamet Police Station,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned Letter Ref. No. OBJ/321292731/25 dated 03.04.2025 issued by the 1st respondent and quash the same and consequently direct the 1st respondent to issue passport to the petitioner within a time frame fixed by this Court.



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For Petitioner : Mr.R.Kirthenathan

For Respondents : Mr.R.Ganesh Kumar (R1)
Central Government Standing Counsel

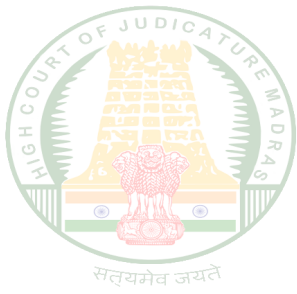
: Mr..R.Mohamed Riyaz (R2)
Government Advocate (Criminal Side)

ORDER

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus and quash the order of the first respondent in Letter Ref.No.OBJ/321292731/25 dated 03.04.2025 and to direct the first respondent to issue passport to the petitioner in accordance with law.

3.The learned counsel appearing for the petitioner submitted that the petitioner made an application dated 11.03.2025 for issuance of passport, while so, the petitioner received the impugned communication calling upon the petitioner to provide suitable explanation regarding the pendency of the



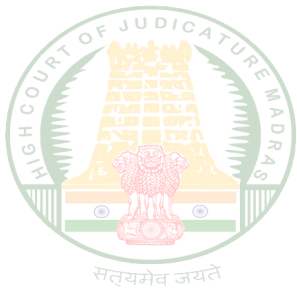
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criminal case. The learned counsel further submitted that the issue involved in the present case is no longer *res integra* and that similar issue has already been decided by the Hon'ble First Bench of this Court in W.A.No.902 of 2023 dated 02.06.2023.

4.It is seen from the record that, as against the petitioner, a criminal case in Crime No.445 of 2023 is pending and the case is under investigation and hence the first respondent issued the impugned communication and further submitted that it is only a communication calling for explanation from the petitioner.

5.The issue involved in the present case is no longer *res integra*. Similar issue has already been decided by the Hon'ble First Bench of this Court in W.A.No.902 of 2023 [***The Regional Passport Officer, Chennai Vs. Samsudeen Mohamed Salih and another***] dated 02.06.2023, the relevant portion of which is extracted hereunder:



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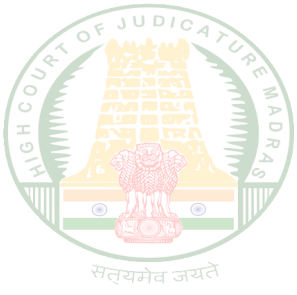
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*"5.A Division Bench of the Bombay High Court, in the case of **Abbas Hatimbhai Kagalwala v. State of Maharashtra and another**, 2022 SCC OnLine Bom 1992, to which one of us (S.V.Gangapurwala, CJ.) was a party, has followed the judgment of the Apex Court in the case of **Vangala Kasturi Rangacharyulu**, supra and directed the respondent therein to process the application of the petitioner for renewal of the passport.*

6. The contention of learned counsel for the appellant that the first respondent cannot travel abroad without the permission of the Court where the criminal case is pending, would not be an impediment for the passport authority to consider the application for renewal of the passport. No doubt, if the first respondent has to travel abroad and the criminal case is pending, then unless the Magistrate or the Sessions Court where the criminal case is pending permits the first respondent to travel abroad, he cannot travel abroad.

7. In the light of the above, we pass the following order:

(i) The writ appellant shall process the application of the first respondent for renewal of passport without insisting for permission of the Court, where a criminal



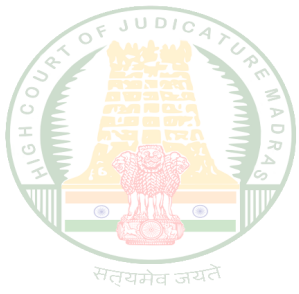
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case is pending against the first respondent. If the first respondent is travelling abroad, then the first respondent would be required to seek permission from the Court where the criminal case is pending.

(ii) Decision shall be taken as above, within one month."

6.Following the decision cited supra, this Court is inclined to set aside the impugned communication. Accordingly, the communication in Letter Reference Letter Ref. No. OBJ/321292731/25 dated 03.04.2025 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 four 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.



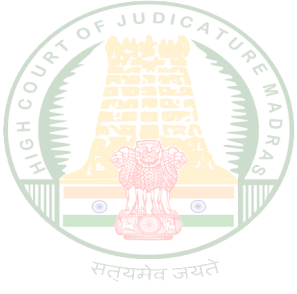
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7. With the above observations and directions, the writ petition stands allowed. No costs. consequently, connected Miscellaneous Petition is closed.

10.07.2026

NCC : Yes / No
Index : Yes / No
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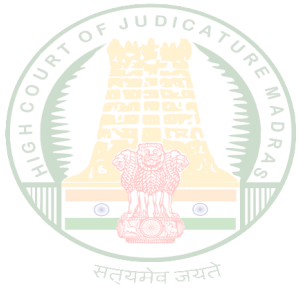
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M.DHANDAPANI, J.

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