



W.P(MD)No.22434 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.22434 of 2026

and

W.M.P(MD)No.16719 of 2026

Narendiran

... Petitioner

Vs

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

2.The Inspector of Police,
Mohanur Police Station,
Namakkal District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records in connection with the impugned order of the first respondent dated 28.07.2026 and to quash the same and consequently to direct the first respondent to issue



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For Petitioner : Mr.N.Ananda Kumar

For Respondents : Mr.A.Muthuramalingam (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 calling for the records in connection with the impugned order of the first respondent dated 28.07.2026 and to quash the same and consequently to direct the first respondent to issue the passport to the petitioner on the Passport Application No.TR2077171975626 dated 17.07.2026.



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3.The learned counsel appearing for the petitioner submitted that the petitioner had applied for a passport through online application on 16.07.2026. While processing the said application, the first respondent issued a show cause notice dated 28.07.2026, calling upon the petitioner to furnish an explanation, on the ground that a criminal case against the petitioned was pending at the F.I.R. stage.

4.It is seen from the record that, as against the petitioner, a criminal case in Crime No.149 of 2023 is pending on the file of the second respondent and the case is under investigation.

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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*"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 impugned order of the first respondent dated 28.07.2026 is set aside. The first respondent is directed to process the application of the petitioner without insisting the permission of the authority, where the investigation 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.



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