



WEB COPY



W.P..(MD)No.23158 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **17.08.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.23158 of 2026

Dharanidharan

... Petitioner

Vs.

1. The Regional Passport Officer,
Regional Passport Office Madurai,
Bharthi Ula Street,
Madurai.

2. The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
(in Crime No.25 of 2026)

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the first respondent to issue a passport to the petitioner based on his application dated 21.07.2026 in File No.MD5077033844226 on the file of the first respondent.

For Petitioner : Mr.U.M.Berdin Vinodh

For Respondents : Mr.M.Kannan (R1)

Central Government Standing Counsel

Mr.P.Vetrivel (R2)

Government Advocate (Crl. Side)



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ORDER

This petition has been filed seeking for a direction to the first respondent to issue a passport to the petitioner, based on his application dated 21.07.2026 in File No.MD5077033844226 on the file of the first respondent.

2. The learned counsel appearing for the petitioner submitted that the petitioner has made an application with the first respondent for issuance of passport. However, his application is kept pending without any progress citing the pendency of the criminal case in Crime No.25 of 2026 on the file of the second respondent police.

3. The learned Government Advocate appearing for the second respondent submitted that there is not merely one crime registered against the petitioner, but as many as three FIRs have been registered against him. Of these, one case has culminated in filing of a charge sheet in C.C. No.324 of 2025 before the learned Judicial Magistrate, Karaikudi, and the same is pending.



4. The learned Central Government Standing Counsel submitted that, in view of the pendency of the criminal case, the passport cannot be issued without obtaining a prior verification report from the second respondent.

5. In reply, the learned counsel appearing for the petitioner submitted that the petitioner may be permitted to approach the appropriate Criminal Court and seek appropriate orders.

6. Heard the learned counsel on either sides and carefully perused the materials placed before this Court.

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 the case of ***Jawahar Rajan vs. The Regional Passport Officer and another¹***, 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.

¹ WP(MD)No.26547 of 2025 dated 09.02.2026



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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.”

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 directions, this Writ Petition is disposed of. No costs.

17.08.2026

NCC : Yes / No
Index : Yes / No
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TO:-

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1. The Regional Passport Officer,
Regional Passport Office Madurai,
Bharthi Ula Street,
Madurai.
2. The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Sm

Order made in
W.P..(MD)No.23158 of 2026

Dated
17.08.2026