



WEB COPY

WP No. 43686 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 43686 of 2025

Meiyappan

Petitioner(s)

Vs

1. The Regional Passport Officer
Tiruchirapalli,
New Municipal Complex
Thillainagar 7th Cross,
Thiruchirapalli 620 018

2.The Sub Inspector of Police
Perambalur Police Station,
Peramablur 621 212.

Respondent(s)

PRAYER: This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to re-issue passport to petitioner by considering petitioner application dated 06.10.2025 in application no TR 2077379357125.

For Petitioner(s):	Mr.K.Thenrajan
For Respondent:	Mr.S.Srivatsav, CGSC R1
	Mr.S.Balaji, GA (Crl. Side) R2

ORDER

This petition has been filed seeking a direction to the 1st respondent to re-issue passport to petitioner by considering petitioner application dated 06.10.2025 in application no TR 2077379357125.



2. It is the case of the petitioner that the petitioner made application for renewal of passport on 06.10.2025. On 13.10.2025 the first respondent issued a show cause notice stating that a criminal case in Cr.No.164 of 2021 is pending against the petitioner. Therefore, the petitioner's application is kept pending without any progress and no final report has been passed so far. Hence, the petitioner has filed the present writ petition.

3. The learned counsel for the petitioner submitted that the issue involved in the present Writ petition is no longer *res integra* and the similar issue has already been decided by the Hon'ble First Bench of this Court in WA. No.902/2023 dated 02.06.2023 wherein this Court held that mere pendency of the criminal case is not a bar for renewal of the passport. If the person wants to travel abroad, he has to get necessary permission from the Court, where the criminal case is pending.

4. The learned counsel for the first respondent has not objected the submissions made by the learned counsel for the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the fact that the petitioner has made application for issuance of passport and the same is kept pending without any progress. In this background, the learned counsel for the petitioner relied upon the decision rendered by the Hon'ble First Bench of this Court in WA.902 of 2023 dated 02.06.2023.

7. This Court perused the judgment passed by this Court and the relevant paragraphs are extracted herein;

*"5. A Division Bench of the Bombay High Court, in the case of **Abbas Hatimbhai Kagalwala v.***



WEB COPY

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 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."

8. Since the present issue is also one and the similar, this Writ Petition is disposed of with the following directions:

"(i) The first respondent is directed to process the application of the petitioner without insisting the permission of the Court, as



there is no criminal case pending against the petitioner before any Court; and

WEB COPY

(ii) If any case is pending before any Court, which has not been brought to the notice of the petitioner., the 1st respondent shall communicate the same to the petitioner and call upon him to seek necessary permission from the said Court and file the same before the 1st respondent."

9. With the above observations and directions, the writ petition is disposed of. No costs.

17-11-2025

Rli

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Regional Passport Officer
Tiruchirapalli,
New Municipal Complex
Thillainagar 7th Cross,
Thiruchirapalli 620 018

2. The Sub Inspector Of Police
Perambalur Police Station,
Perambalur 621 212.



WEB COPY

WP No. 43686 of 2025



M.DHANDAPANI J.
rli

WP No. 43686 of 2025

17-11-2025