



W.P.(MD)No.14024 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.05.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.14024 of 2025

S.Thirupathi

.... Petitioner

/Vs/

1. The Regional Passport Officer
O/o. Passport Office,
Tiruchirappalli, New
Municipal Complex,
Thillainagar 7th Cross,
Tiruchirappalli.
2. The Superintendent of Police,
O/o. District Superintendent of Police,
Nagapattinam - Coimbatore -
Gundlupet High Ways, Tanjore.
3. The Inspector of Police
Vallam Police Station,
Vallam, Tanjore District.

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned letter vide proceeding Ref. No. OBJ/321319807/25 dated 07.04.2025 and quash the same and



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consequential direct the 1st respondent to re-issue a fresh passport based on the renewal application submitted by the petitioner vide TR1077490858925 within a stipulated period that may be fixed by this Court.

For Petitioner	: Mr.R.Vignesh
For R1	: Mr.M.mahendra Prabhu
For R2 & R3	: Mr.K.Gnanasekaran Government Advocate (Crl.side)

ORDER

The petitioner seeks to quash the impugned letter in Ref.No. OBJ/321319807/25 dated 07.04.2025 and to consequently direct the first respondent to re-issue a fresh passport based on the renewal application of the petitioner.

2. The petitioner is cited as an accused No.4 in a First Information report, however no final report has been filed till date. Admittedly, in the light of the settled position of law that mere pendency of the First Information Report would not come in the way of the passport authority to refuse the issuance of passport or renewal and also in the Official Memorandum dated 10.10.2019 of the Government of India, Ministry of External Affairs, it is clarified that applicants may be refused passports



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only on the grounds mentioned under Section 6(2) of the Passports Act and where the criminal proceedings are pending before a Criminal Court of India against the applicant. This Court has also **(2014) 8 MLJ 61 in *W.Jaihar William and others vs. State of Tamil Nadu and others and 2016(1) CWC 656 in B.Ranganathan Vs. The Regional Passport Officer Government of India and others*** held in similar cases like the applicant shall not be refused renewal of passport or issuance of passport citing the pendency of the First Information Report.

3. In view of the above, the impugned order, dated 07.04.2025 is set aside and the first respondent is directed to consider the petitioner's renewal application submitted on 17.03.2025 without reference to the pending FIR and if the petitioner is otherwise entitled to renewal of passport, the same shall be issued on or before 15.05.2025.

4. Accordingly, the writ petition is allowed. No costs.

Index : Yes / No

NCC : Yes / No

08.05.2025

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Note: Issue order copy on 09.05.2025.

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To

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P.B. BALAJI, J.
am

Order made in
W.P.(MD)No.14024 of 2025

Dated:
08.05.2025