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THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2025

CORAM:

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.24376 of 2025

Santhoshkumar

... Petitioner

-VS-

1.The Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillainagar 7th Cross,
Trichy 620018.

2.The Inspector of Police,
Karur Town Police Station,
Karur District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to issue a passport to the petitioner based on his application No.TR1065142065225 dated 06.06.2025 within the time stipulated by this Court.

For Petitioner : Mr.S.Veerapandiselvaraj

For Respondents : Mr.S.Mariappan
CGSC (for R1)
Mr.S.Prakash (for R2)
Government Advocate (Crl.side)



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ORDER

This writ petition has been filed to direct the first respondent to issue a passport to the petitioner based on his application No.TR1065142065225 dated 06.06.2025 within the time stipulated by this Court.

2. The facts on which the petitioner is before this Court are as follows:

The petitioner had submitted an application on 06.06.2025 to the first respondent seeking for issuance of passport. Thereafter, vide letter dated 16.06.2025, the petitioner was called to furnish the clarification with reference to an adverse police verification report given by the second respondent. The second respondent has stated that the petitioner was involved in theft of vehicle and had been convicted. The petitioner would submit that he has been falsely implicated and it is only his father who has been convicted and therefore, there cannot be impediment to issue passport.



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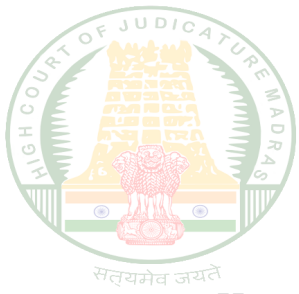
3. Heard the learned counsel on either side.

4. The learned Government Advocate (Crl.side) would submit that the petitioner was a minor at the time of the alleged offence and criminal proceedings. He had been convicted under the Juvenile Justice Act in the year 2021 and therefore, the petitioner cannot be granted a passport.

5. The aforesaid submission of the learned Government Advocate (Crl.side) has to be accepted in the light of the language of Section 6(2)(e) of the Passports Act, which is extracted hereunder:

... "that the applicant has, at any time during the period of five years immediately preceding the date of his application, been convicted by a court in India for any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than two years;"

6. In view of the above, the petitioner having been convicted in the year 2021 and the five years period provided under the aforesaid provisions having not been completed, the relief sought for by the petitioner cannot be granted. Accordingly, this Writ Petition is dismissed.



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However, with liberty to the petitioner to file afresh application and on such application is being made, the passport authority shall consider the same in the light of the provision contemplated under Section 6(2)(e) of the Passports Act. No costs.

17.09.2025

NCC : Yes/No
Index : Yes/No
Rmk

To

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P.T.ASHA, J.

Rmk

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