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W.P.No.1930 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.02.2026

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 1930 of 2026

Udayakumar Ponnusamy

...Petitioner

Vs.

1. Regional Passport Office,
No.1, Bhanumathi Ramakrishna Road,
Saligramam,
Chennai

2. The State rep. by its
The Inspector of Police,
Neyveli Thermal Police station,
Cuddalore District.

...Respondents

Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Mandamus, directing the 1st respondent to process the petitioner's passport renewal application on the file No.MA1076104629925 and renew passport No.N6823605, which expires on 18.02.2026.



W.P.No.1930 of 2025

For Petitioner : Mr. D.Veerasekaran

For Respondent 1: Mr. Subbu Ranga Bharathi
Central Government Standing
Counsel

For Respondent 2: Mr. L.Baskaran
Government Advocate
(Criminal Side)

ORDER

This writ petition is filed seeking a writ of mandamus, directing the 1st respondent to process the petitioner's passport renewal application in file No.MA1076104629925 and renew passport No.N6823605, which expires on 18.02.2026.

2. The petitioner would submit that he made an application before the 1st respondent for renewal of passport No.N6823605 vide application No.MA1076104629925 dated 12.12.2025 and an appointment for verification of documents was also fixed on 18.12.2025. After verification of documents, the petitioner's



application was kept on hold.

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3. The petitioner would submit that the FIRs are pending for filing charge sheet for more than 5 years. However, the 1st respondent has kept his application on hold. Aggrieved thus, the petitioner is before this Court.

4. The 2nd respondent has filed a status report stating that Cr.No.160 of 2020 has been registered against the petitioner for the offences under Sections 287, 337, 304 (II) @ 287, 337, 338 and 304 (ii) IPC and the same is under investigation.

5. Heard the learned counsels on either side and perused the records.

6. In a recent judgement, in **2025 INSC 1476 – Mahesh Kumar Agarwal Vs. Union of India**, the Hon'ble Supreme Court held that denial of passport by quoting the provisions of Section 6 (2) (f) of the Passports Act, was erroneous, since the issue of passport is only a case



W.P.No.1930 of 2

of providing document for civil identity, whereas travel out of the country was a regulated activity. The right to allow or not to allow the accused person from traveling abroad vests with the Court, in which the criminal proceeding is pending. The Hon'ble Apex Court observed that the issuing authority is bound to issue passport and it does not possess any power to deny the issue of passport itself.

7. In view of the above, the 1st respondent is directed to take note of the fact that only an FIR was registered in the year 2020, but no charge sheet has been filed till date, and to consider the petitioner's representation seeking renewal of his passport and pass appropriate orders, if all other parameters are found to be in order, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The 1st respondent shall bear in mind the dicta laid down in the aforesaid judgement. Accordingly, this writ petition is disposed of. No costs.

06.02.2026

Index : Yes/No
Internet : Yes/No
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W.P.No.1930 of 2

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To

1.Regional Passport Office,
No.1, Bhanumathi Ramakrishna Road,
Saligramam,
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2.The Inspector of Police,
Neyveli Thermal Police station,
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W.P.No.1930 of 2

P.T. ASHA, J

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W.P.No.1930 of 2026

06.02.2026