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WP No. 3945 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 3945 of 2026

P.Yuvaraj
S/o.C.Pandurangan
No.14/30, Ex- Serviceman Colony,
1st Cross Street, Kalaingar Nagar,
St.Thomas Mount,
Chennai- 600 016.

..Petitioner(s)

Vs

1. The Union of India
Rep by the Principal Secretary
Ministry of External Affairs
Union of India, E- Block,
Central Secretariat,
New Delhi.
2. The Regional Passport Officer
Office of the Regional Passport office
Chennai Royala Towers
No.2 and 3, IV Floor,
Old No.785, New No.158,
Anna Salai, Chennai-600 002.
3. The Inspector of Police
S4, Police Station
Nandambakkam.
[R3 suo motu impleaded vide order dated
11.02.2026]

..Respondent(s)



PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to relax the conditions in communication dated 19.11.2025 and consequently direct the 2nd respondent to issue passport to the petitioner in Application/File No. MA1064964605925 dated 22.4.2025 for the purpose of ID Proof.

For Petitioner(s): Mr.D.Rajagopal

For Respondent(s): Mr.R.T.L.Chandar
Senior Panel Counsel for R1 & R2

Mr.L.Baskaran
Government Advocate (Crl.Side) for R3
(suo motu impleaded)

ORDER

The writ petition has been filed seeking a direction to the second respondent to relax the conditions imposed in the communication of the second respondent dated 19.11.2025 and to direct the second respondent to issue passport to the petitioner.

2. The case of the petitioner is that he is a permanent resident of Chennai. He had completed his MBA degree and is working as Project Co-ordinator in a Multi National Company at Chennai. According to the petitioner, as per his



company rules, all staff members are required to produce their passport for internal identification, for which purpose, he had applied for passport on 22.04.2025 through online and his request was assigned File No.MA1064964605925. On 19.11.2025, the second respondent had addressed a communication to the petitioner, which reads as below :

"Since a criminal case is pending trial against you before the PDJ, Chengalpattu Court, in SC.No.40/2020, this attracts section 6(2)9f) of the Passports Act 1967 and your application for reissue of passport is liable for rejection unless you fulfill the requirements as prescribed by the Government of India Gazette Notification GSR 570(E) dated 25.08.1993 (copy enclosed) r/w Section 22 of the Passport Act 1967".

In view of the above, you are advised to produce case disposal / acquittal order or permission from the concerned court to depart from India along with under taking as per GSR 570(E) Gazette Notification, so that your application for reissue of passport can be considered on merits and in terms of section 22 of the Passport Act 1967 r/w. Gazette notification GSR 570(E) dated 25.8.1993/"

3. The petitioner in the affidavit filed in support of the petition, has himself admitted that an FIR was registered against him in Crime No.62/2019 on the file of S4 Police Station, Nandambakkam for offences under Sec.302 IPC. Subsequently, a charge sheet was filed against the petitioner for offences under Sec.302 IPC r/w. 34 IPC and he has been arrayed as A3, and the case is



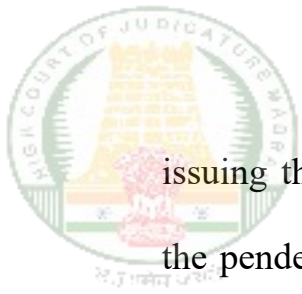
now pending before the District and Sessions Court, Chengalpattu in S.C.No.40/2020 and the same is posted for trial.

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4. The petitioner would contend that he hails from a respectable family and the criminal case has been foisted against him with an ulterior motive. He would further submit that the sole purpose for production of passport is only for identification unlike other foundational documents. The petitioner did not intend to travel abroad and therefore, he is also ready to provide an undertaking to that effect before the passport authority. The petitioner also contends that the passport authority has misinterpreted the Gazette Notification GSR 570(E) dated 25.08.1993 and insisting for a Court order. Hence, the petitioner is before this Court seeking a mandamus to relax the said conditions imposed in the communication of the second respondent dated 19.11.2025.

5. Mr.R.T.L.Chandar, learned Standing Counsel takes notice for respondents 1 and 2. This Court suo motu impleads the Inspector of Police, S4, Nandambakkam Police Station as third respondent in this writ petition.

6. The relief claimed by the petitioner is dual viz., one is to relax the condition in the communication of the second respondent dated 19.11.2025 and the other is to issue passport to the petitioner for ID proof. The reason for not



issuing the passport to the petitioner by the second respondent is attributed to the pendency of criminal proceedings pending against the petitioner before the Principal District Court, Chengalpattu. The petitioner himself had admitted that criminal proceedings are pending against him and the same is in the stage of trial. Notwithstanding the reason whether the requirement of passport is for the purpose to travel abroad or as proof of identification, a passport is an official travel document issued by the Government certifying the citizens identity and nationality, enabling them to travel abroad.

7. The Hon'ble Supreme in recent judgment in ***Mahesh Kumar Agarwal Vs. Union of India*** and another arising out of ***SLP (C) No.17769 of 2025*** reiterates that GSR 570(E) creates a controlled exemption from the bar under Section 6(2)(f) in case of persons facing criminal proceedings. It explains that the procedure where criminal cases are pending, makes it clear that permission should be obtained from the Court where the criminal case is pending.

8. The dicta laid down in the above judgment would apply on all fours to the case on hand also, irrespective of the purpose in requiring the passport. Therefore, this Court is of the view that the first part of the prayer seeking to direct the second respondent to relax the condition in his communication dated 19.11.2025 vis-a-vis, obtaining a court order, cannot be granted. However, insofar as the second part of the prayer seeking to issue a passport with



reference to his application dated 22.04.2025, this Court directs the second respondent to issue passport to the petitioner, within a period of three weeks, subject to an undertaking from the petitioner that he will not leave the shores of India, without obtaining the permission from the Principal District Judge, Chengalpattu, as contemplated under the Passport Act and Manual.

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

11-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
DS



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