



WEB COPY

W.P.No.4947 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.02.2026

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 4947 of 2026

Hameed Yasar Arabath

...Petitioner

Vs.

1.The Regional Passport Officer,
Regional Passport Office,
Royala Towers, 2 and 3, 4th Floor,
Old No.785, New No.158, Anna Salai,
Chennai 600 002.

2..The Inspector of Police,
W-7, All Women Police Station - Anna Nagar,
No 2, 3rd Avenue, Anna Nagar,
Chennai-600040.

...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



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process and issue the passport to the petitioner for his Application No.MA2076204388926 dated 23.11.2025, expeditiously within the stipulated time frame.

For Petitioner : Mr. Leeban Arivalagan

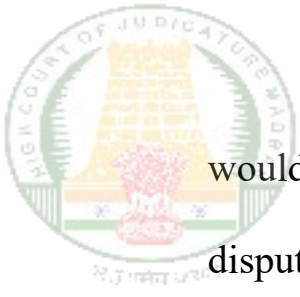
For Respondent 1 : Mr. R.Rabu Manohar
Senior Central Government
Counsel

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 and issue the passport to the petitioner for his Application No.MA2076204388926 dated 23.11.2025, expeditiously within the stipulated time frame.

2. The petitioner made an application for re-issuance of passport on 23.11.2025. On 16.01.2026, the 1st respondent sent a letter to the petitioner seeking clarification with regard to FIR registered in Cr.No.26 of 2025, on the file of W7 AWPS, Annanagar. The petitioner



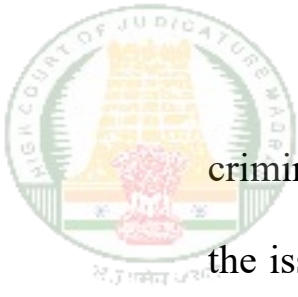
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would submit that the said FIR has been registered based on marital dispute and has no bearing to any security threats. Therefore, the petitioner is before this Court.

3. The 2nd respondent has filed a status report stating that after a detailed investigation, they have filed a charge sheet against the petitioner before the Additional Mahila Court, Egmore, Chennai in e-file No.LTN20220002617C202500064 dated 16.12.2025.

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

5. 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 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



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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.

6. Therefore, this writ petition is disposed of and the 1st respondent is directed to re-issue passport to the petitioner after following the due procedures. It is needless to state that for traveling abroad the petitioner has to obtain permission from the Additional Mahila Court, Egmore, Chennai, where charge sheet in e-file No.LTN20220002617C202500064 dated 16.12.2025 is pending. No costs.

18.02.2026

Index : Yes/No
Internet : Yes/No

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To

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