



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

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

WP No. 5846 of 2026

Vallarasu Thangarasu
S/o.Thangarasu
No.37 East Street
Parukkal Po, Udayarpalayam Taluk
Ariyalur 621804.

..Petitioner(s)

Vs

1. The Regional Passport Officer
Regional Passport Office
Tiruchirapalli, New Municipal Complex
Thillainagar 7th Cross
Thiruchirappalli, Tamil Nadu 620018.
2. The State Rep. By
The Inspector of Police
Udayarpalayam Police Station
Ariyalur District
(Crime No. 58 of 2024)

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for records pertaining to the impugned show cause notice in OBJ/317549449/24 dated 02.04.2024 issued by the 1st respondent, quash the same and consequently direct the 1st respondent to process the petitioner's passport application in file TR1066353877524 dated 13.03.2024 and issue passport.



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For Petitioner(s):

Mr.S.Sudhanthiran

For Respondent(s):

Mr.S.V.Rajendra Prasad

Central Government Standing Counsel for R1

Mr.L.Baskaran

Government Advocate (Crl. Side) for R2

ORDER

The writ petition has been filed for the following relief :

“To issue a Writ of Certiorarified Mandamus, calling for records pertaining to the impugned show cause notice in OBJ/317549449/24 dated 02.04.2024 issued by the 1st respondent, quash the same and consequently direct the 1st respondent to process the petitioner’s passport application in file TR1066353877524 dated 13.03.2024 and issue passport.

2. The grievance of the petitioner is that the application submitted by him on 13.03.2024 in File No.TR1066353877524 has been rejected by the first respondent vide its impugned notice dated 02.04.2024 stating that as per the records of the second respondent, a case in Crime No.58 of 2024 is pending against him. The petitioner would contend that the issue involved in this writ petition is no longer *res integra* as the same has been decided by the First Bench of this Court, holding that the pendency of a criminal case is not a bar for renewal of passport. Hence, he seeks to quash the impugned notice dated



02.04.2024 and to direct the first respondent to process the petitioner's application dated 13.03.2024.

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3. Heard the learned counsel for the petitioner, Mr.S.V.Rajendra Prasad, Central Government Standing Counsel for first respondent and Mr.L.Baskaran, learned Government Advocate (Crl.Side) for the second respondent-police.

4. The learned Standing Counsel appearing for the first respondent has produced a copy of the letter dated 20.11.2024 addressed to the petitioner wherein it states that despite the service of closure intimation notice dated 29.07.2024, to the petitioner, and there was no response from the petitioner, the petitioner's application dated 13.03.2024 has been closed. Further, if the petitioner wants to apply for a passport, he can submit a fresh application by quoting the previous file number.

5. The learned Government Advocate (Crl.Side) appearing for the second respondent would submit that a case in C.C.No.432 of 2025 on the file of Judicial Magistrate No.II, Jayankondam, is pending against the petitioner.

6. In a recent judgment in ***Mahesh Kumar Agarwal Vs. Union of another*** arising out of SLP (C) No.17769 of 2025, the Hon'ble Supreme Court has observed that such issue of passport was subject to the condition that the



person accused of criminal case should not leave India without the permission of the Court concerned (Criminal Court) and shall also deposit his passport in that Court as and when demanded. Relying the said judgment, the Full Bench of Madurai Bench of Madras High Court in W.P.(MD) No.26547 of 2025 dated 09.02.2026 [*Jawahar Rajan Vs The Regional Passport Officer*], has held that the right of a person who is on bail or facing trial or pending appeal may leave the country, subject to the permission of the Criminal Court, which can grant or withhold permission, impose conditions, insist of undertakings or refuse to leave altogether.

7. In the light of the submissions made by the learned Standing Counsel for the first respondent that since there was no response from the petitioner despite his being served with the file closure intimation notice of File No. TR1066353877524, the application submitted by the petitioner on 13.03.2024 has been closed and the same cannot be revived now. Therefore, the relief claimed by the petitioner to direct the first respondent to process the petitioner's application in File No. TR1066353877524 dated 13.03.2024, cannot be granted.

8. Further, it is also informed before the Court that a case in C.C.No.432 of 2025 on the file of Judicial Magistrate No.II, Jayankondam is pending against the petitioner. In such circumstances, the dicta laid down in the judgments cited supra would apply on all fours to the case on hand. Therefore, if the petitioner



deserves to travel abroad and wants a passport for the said purpose, he can submit a fresh application before the first respondent along with necessary documents, quoting the previous file number. Upon receipt of the same, the first respondent shall issue a passport to the petitioner, subject to the condition that the petitioner shall not leave the shores of India, without obtaining the permission of the Judicial Magistrate No.II, Jayankondam.

9. The writ petition is disposed of in the above terms. No costs.

18-02-2026

Index : Yes / No

Speaking / Non-speaking Order

Neutral Citation : Yes / No

DS

To:

1. The Judicial Magistrate No.II
Jayankondam.
2. The Regional Passport Officer
Regional Passport Office
Tiruchirapalli, New Municipal Complex
Thillainagar 7th Cross
Thiruchirappalli, Tamil Nadu 620018.
3. The Inspector of Police
Udayarpalayam Police Station
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P.T.ASHA J.

DS

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