



WEB COPY

WP No. 8560 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 8560 of 2026

A.Vaduganathan

Petitioner(s)

Vs

1. Regional passport officer
Coimbatore, First Floor, Corporation
commercial Complex, Opp.
Thandumariamman Koil, Avinashi
Road, Coimabtoe-641 018

2.The Commissioner of Police
Police Commissioner office, Tiruppur
District, Tiruppur-641 603

3.The Inspector of Police,
Udumalpet Police Station,
Udumalpet-642 126

4.The Inspector of Police
Madathukulam Police Station, Tiruppur
District-642 113

5.The Inspector of police
Komaralingam police Station,
Komaralingam-642 204

Respondent(s)

PRAYER: Petition filed under Article 226 of Constitution of India directing the 1st respondent to consider the representation letter dated 17.02.2026 and issue the passport bearing file No.B1065885126525

For Petitioner(s): Mr.S.Aswinraj

For Respondent: Mr.N.Manikandan, CGSC for R1
Mr.V.Meghanathan, GA
(Crl.Side) for R2 to R5

ORDER

The petitioner seeks for a direction, directing the respondent to consider



the representation of the petitioner dated 17.02.2026 of the petitioner and consequently issue passport to the petitioner.

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2. It is the contention of the petitioner that the petitioner applied for passport, however, the first respondent sent a communication that adverse report is sent by the police with regard to the criminal cases are pending in Cr.Nos.220 of 2024 on the file of the 5th respondent, 63 of 2024 on the file of the 4th respondent and 168 of 2025 on the file of the 3rd respondent, therefore, seeks for a direction.

3. Heard both sides and perused the materials placed on record.

4. By consent of both parties, this writ is taken up for final disposal at the admission stage itself.

5. At the outset, it is relevant to note that mere pendency of the criminal case, it is not a bar for processing the application for issuance of passport. This aspect has been clearly held by the First Bench of this Court in the case of *The Regional Passport Officer vs. Samsudeen Mohamed Salih and another* made in *W.A.No.902 of 2023* dated 02.06.2023. The relevant paragraph of the judgment reads as follows:-

" 5. A Division Bench of the Bombay High Court, in the case



of Abbas Hatimbhai Kagalwala v. State of Maharashtra and another, 2022 SCC OnLine Bom 1992, to which one of us (S.V.Gangapurwala, CJ.) was a party, has followed the judgment of the Apex Court in the case of Vangala Kasturi Rangacharyulu, supra and directed the respondent therein to process the application of the petitioner for renewal of the passport.

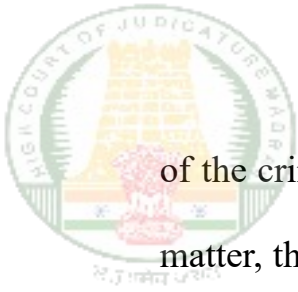
6. The contention of learned counsel for the appellant that the first respondent cannot travel abroad without the permission of the Court where the criminal case is pending, would not be an impediment for the passport authority to consider the application for renewal of the passport. No doubt, if the first respondent has to travel abroad and the criminal case is pending, then unless the Magistrate or the Sessions Court where the criminal case is pending permits the first respondent to travel abroad, he cannot travel abroad."

6. It is also apposite to refer to the case of *Vangala Kasturi Rangacharyulu vs. Central Bureau of Investigation* made in *Criminal Appeal No.1342 of 2017* dated 27.09.2021, the appellant therein was convicted to undergo one year of imprisonment, the Hon'ble Apex Court has held that the passport authority cannot refuse the renewal of the passport on the ground of pendency of the criminal appeal. The relevant portion of the judgment reads as follows:-

"Admittedly, at present, the conviction of the appellant stands still the disposal of the criminal appeal. The sentence which he has to undergo is for a period of one year. The passport authority cannot refuse the renewal of the passport on the ground of pendency of the criminal appeal.

The passport authority is directed to renew the passport of the applicant without raising the objection relating to the pendency of the criminal appeal in this Court. Subject to the other conditions being fulfilled, the Interlocutory Application stands disposed of."

7. Considering the above judgments, I am of the view that mere pendency



of the criminal cases are not a bar for processing the passport. Such view of the matter, there shall be a direction to the respondent to consider the representation of the petitioner and issue passport if otherwise, the petitioner satisfies other conditions. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this Order.

8. Accordingly, this writ petition stands disposed of. No costs.

05-03-2026

dhk

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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