



WEB COPY

WP No. 8902 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 8902 of 2026

Chandrasekar Palansamy
S/o Palanisamy
49A A.S. Pettai First Street,
Namakakl Post,
Namakkal 637 001

..Petitioner(s)

Vs

1. The Regional Passpor officer
Regional passport office,
First Floor, Corporation Commercial Compelx,
Opp Thandumariamamn Koil,
Avinashi Road,
Coimbatore 641 018
2. The Inspector of Police
Namakkal Police station,
Namkkal Distriict

..Respondent(s)

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st Respondent to forthwith process and issue passport to the petitioner pursuant to Passport Application file no CB3066078371525 dated 05.12.2025 within a time limit to be fixed by this honble Court.

For Petitioner(s): Mr.S.Sheik Ismail

For Respondent(s): Mr.C.Kulanthaivel for R1
Mr.V.Mehanathan, GA (Crl. Side) for R2



relevant for this Court to refer to the decision of the Hon'ble First Bench of this Court in the case of ***The Regional Passport Officer, Chennai Vs. Samsudeen Mohamed Salih and another [W.A.No.902 of 2023 dated 02.06.2023]*** and the relevant portions of the decision reads as under:

“3. Learned counsel for the writ appellant submits that the learned Single Judge of this Court has not taken into consideration Section 6 of the Passport Act, 1967 in its correct perspective. The passport cannot be issued to a person to travel abroad, if the criminal case is pending against him. This aspect needs to be considered.

*4. We would be guided by the judgment of the Apex Court in Criminal Appeal No.1342 of 2017 (**Vangala Kasturi Rangacharyulu v. Central Bureau of Investigation**) dated 27.9.2021. The said case also relates to renewal of the passport. In the present case also, application of the first respondent is for renewal of the passport.*

*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.*

7. *In the light of the above, we pass the following order:*

(i) The writ appellant shall process the application of the first respondent for renewal of passport without insisting for permission of the Court, where a criminal case is pending against the first respondent. If the first respondent is travelling abroad, then the first respondent would be required to seek permission from the Court where the criminal case is pending.

(ii) Decision shall be taken as above, within one month.”

5. The facts of the present case on hand is squarely covered by the aforesaid decision. Hence, in the light of the aforesaid decision of the Hon'ble Division Bench of this Court, the Writ Petition stands disposed of.



Consequently, the first respondent shall process the application of the petitioner for issuance of passport without insisting for permission of the Court, where a criminal case is pending against the petitioner. If the petitioner is travelling abroad, then he would be required to seek permission from the Court where the criminal case is pending and the said exercise shall be completed, within a period of four weeks from the date of receipt of a copy of this order.

6. In the result, the Writ Petition is disposed of with the above terms.

There shall be no order as to costs.

06-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DP

To

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M.DHANDAPANI, J.

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