



WEB COPY

WP No. 9448 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 9448 of 2026

Suriyakumar
S/o Selvaraj,
Door No 1/90D,
North Street,
Asanur Village and Post,
uludurpet Taluk,
Kallakurichi District

..Petitioner(s)

Vs

1. The Regional Passport Officer
Regional Passport Office
Chennai Royala Towers 2 and 3,
IV Floor, Old No, 785 New No 158 Anna Salai,
Chennai 600 002
Tamil Nadu
2. The Inspector of Police
Edaikkal Police Station,
Kallakurichi District

..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 consider petitioners application for renewal the passport (K7879213) in file reference No 25-1064720756 dated 01.11.2025 which is pending before the 1st Respondent, within a stipulated time as fixed by this Hon'ble High Court.

For Petitioner(s):

Mr.Krishnasamy Chinnaamy

For Respondent(s):

Ms.M.P.Jaisha, CGC for R1

Mr.V.Meghanathan, GA (Crl. Side) for R2



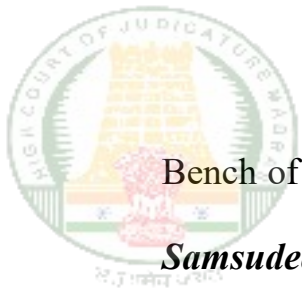
ORDER

This Writ Petition has been filed seeking a direction to the first respondent to consider the petitioner's application for renewal of his passport (K7879213) in file Reference No.25-1064720756 dated 01.11.2025 pending before him, within a stipulated time as fixed by this Court.

2. Heard the learned counsels appearing on either side. With the consent of both sides, the Writ Petition is taken up for hearing at the admission stage itself.

3. The learned counsel for the petitioner submitted that the petitioner has made an application for renewal of his passport on the expiry of his passport on 02.01.2023 but the same was not considered by the first respondent on the ground of pendency of a criminal case. He contended that the case has been pending from 2019 and mere pendency of an FIR will not be a bar for the respondents to renew the passport of the petitioner and hence, prayed this Court to pass appropriate orders.

4. Perusal of the case reveals that the petitioner's passport renewal application was rejected on the ground of pendency of a criminal case. At this juncture, it is 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 renewal 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.

12-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DP

To

1. The Regional Passport Officer
Regional Passport Office
Chennai Royala Towers 2 and 3,
IV Floor, Old No, 785 New No 158 Anna Salai,
Chennai 600 002
Tamil Nadu
2. The Inspector of Police
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M.DHANDAPANI, J.

DP

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