



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 14528 of 2026 and WMP.No.15767 of 2026

Ranjith Nagalingam Ayyadurai

Petitioner(s)

Vs

1. The Regional Passport officer
Regional Passport Office, Royala
Towers, No.2 and 3, IV Floor, Old
No.785, New No.158, Anna Salai,
Chennai- 600 002.

2.The Commissioner of Police
Greater Chennai Corporation, Chennai
District.

3.The Inspector of Police
R-5 Virugambakkam Police Station,
Chennai-600 092.

Respondent(s)

PRAYER: Petition filed under Article 226 of Constitution of India, calling for the records relating to the Show Cause Notice bearing, Letter Ref. No.SCN/ 10539139310 / 26 dated 25.02.2026 issued by the 1st Respondent and quash the same and consequently direct the 1st Respondent to process and issue renewal passport No.M3530869 to petitioner in respect of petitioner vide Application Reference No. 26- 1053025595 (File No.MA1076436182726) dated 17.02.2026.

For Petitioner(s): Ms.S.Ambigai Dass

For Respondent: Mr.K.B.Arul, CGSC for R1
Mr.V.Meghanathan for R2 & R3
Government Advocate

ORDER

By consent of both parties, this writ petition is taken up for final disposal



at the admission stage itself.

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2. The petitioner challenges the letter of the first respondent dated 25.02.2026, quash the same and consequently direct the first respondent to renew the passport to the petitioner.

3. It is the contention of the petitioner that the petitioner applied for re-issuance of passport, however, the first respondent sent the impugned communication dated 25.02.2026 stating that adverse report is sent by the police with regard to the criminal cases are pending in Cr.No.242/2025 on the file of the 3rd respondent. Challenging the said letter, the present petition has been filed.

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

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.

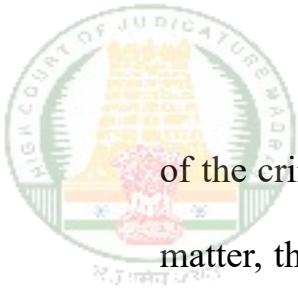
6. The contention of learned counsel for the appellant that the first respondent cannot travel abroad without the permission of the Court where the criminal case is pending, would not be an impediment for the passport authority to consider the application for renewal of the passport. No doubt, if the 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, the impugned letter dated 25.02.2026 stands set aside and there shall be a direction to the first respondent to consider the application of the petitioner and re-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. It is also made clear that if the petitioner has to travel abroad, he shall obtain permission from the Magistrate or Sessions Court where criminal case(s) are pending.

8. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition stands closed.

20-04-2026

dhk

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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M.DHANDAPANI J.

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