



W.P.No.15835 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.15835 of 2026

And

W.M.P.No.17050 of 2026

Rajakannu Chandirakasan

... Petitioner

Vs.

- 1 The State of Tamil Nadu
rep. By its Secretary to Government, Home Department,
Fort St.George,
Chennai – 600 009.
- 2 The Inspector of Police,
Ramanatham Police Station,
Perambalur Dist.
- 3 The Regional Passport Officer
Chennai Royala Towers No.2 and 3,
IV Floor, Old No.785, New No.158,
Anna Salai,
Chennai – 02.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus order of the third respondent in Letter Reference No: SCN/1053919298/26, dated 25.02.2026 quash the same and consequently direct the third respondent to issue to the petitioner passport in accordance with law.



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For Petitioner : Mr.T.Dharani

For Respondents : Mr.S.Rajesh for R1
Government Advocate
Mr.V.Meganathan for R2
Government Advocate (Crl. Side)
Mr.A.K.Manoj Kumar for R3

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus and quash the order of the third respondent in Letter Reference No: SCN/1053919298/26, dated 25.02.2026 and to direct the third respondent to issue to the petitioner passport in accordance with law.

3.The learned counsel appearing for the petitioner submitted that the petitioner made application dated 03.11.2025 for issuance of passport, whiles, the petitioner received the impugned communication calling upon the petitioner to provide suitable explanation regarding the pendancy of the criminal case, pursuant to which, the petitioner gave his explanation on 09.03.2026, however,

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there is no response. The learned counsel further submitted that the issue involved in the present case is no longer *res integra* and that similar issue has already been decided by the Hon'ble First Bench of this Court in W.A.No.902 of 2023 dated 02.06.2023.

4.The learned counsel appearing for the third respondent submitted that as against the petitioner, a criminal case in Cr.No.263 of 2021 for the offence under Sections 147, 294(b), 323, 355, 506(ii) of IPC read with 4 of TNPWH Act is pending and the case is under investigation and hence the third respondent issued the impugned communication and further submitted that it is only a communication calling for explanation from the petitioner.

5.The issue involved in the present case is no longer *res integra*. Similar issue has already been decided by the Hon'ble First Bench of this Court in W.A.No.902 of 2023 [The Regional Passport Officer, Chennai Vs. Samsudeen Mohamed Salih and another] dated 02.06.2023, the relevant portion of which is extracted hereunder:

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



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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



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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."

6.Following the decision cited supra, this Court is inclined to set aside the impugned communication. Accordingly, the communication in Letter Reference No: SCN/1053919298/26, dated 25.02.2026 of the third respondent is set aside. The third respondent is directed to process the application of the petitioner without insisting the permission of the Court, where the criminal case is pending against the petitioner and take appropriate decision, within a period of four weeks from the date of receipt of a copy of this order. If the petitioner wants to travel abroad, then the petitioner has to get necessary permission from the Court where the criminal case is pending against the petitioner.



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7. With the above observations and directions, the writ petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1 The Secretary to Government, Home Department,
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