



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No.23596 of 2026

Thirunavukarasu Dharman
S/o.Dharman
No.21, Perumal Mudali Street,
Walajapet, Ranipet district,
Tamil Nadu-632 513

..Petitioner(s)

Vs

1. The Regional Passport officer
Regional Passport office,
Chennai Royala Towers,
No.2 and 3, IV Floor,
Old No.785 New No.158
Anna Salai, Chennai 02
2. The Inspector of Police,
Walajapet Police station,
Ranipet district

..Respondent(s)

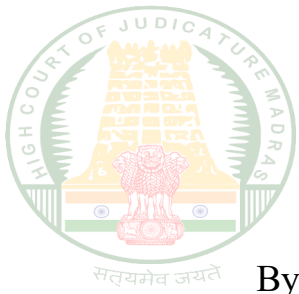
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the 1st respondent to consider petitioner letter dated March 10 2026 submitted in respect of Passport File No. MA2076108025925 in Light of the status of the cases handled by the 2nd respondent.

For Petitioner(s):

Mr J.Edison Gnanaraj

For Respondent(s):

Mr.M.Sathya
Central Government Standing Counsel (for R1)
Mr.Durai Gunasekaran
Government Advocate (Crl.Side) (for R2)

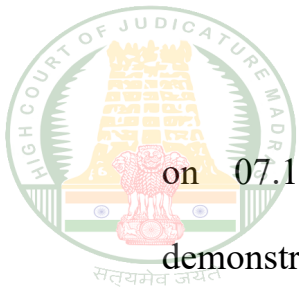


ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of Mandamus directing the 1st respondent to consider petitioner's letter dated 10.03.2026 submitted in respect of Passport File No. MA2076108025925 in light of the status of the cases handled by the 2nd respondent.

3. Learned counsel for petitioner would submit that petitioner was issued with a passport bearing No.Y7561938. Petitioner applied for re-issuance of passport before 1st respondent and the same was processed under File No.MA2076108025925 and a show cause notice bearing Letter Ref.No.SCN/1053383867/26 was issued on 20.01.2026, wherein certain clarifications were sought regarding adverse police verification report. It was further submitted that in the adverse police verification report, it was stated that two criminal cases initiated by the 2nd respondent Police were pending against the petitioner viz., Crime No.492 of 2025 and Crime No.418 of 2023. Thereafter, petitioner responded to the show cause notice by submitting a written explanation dated 10.03.2026 wherein it was explained that petitioner has been arrayed in the above Crime No.492 of 2025 in a mass FIR registered

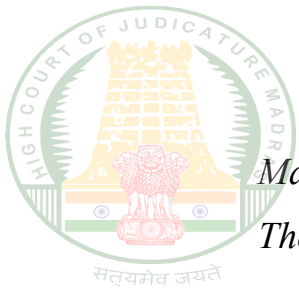


on 07.12.2025, following a public gathering related to a religious demonstration. Petitioner would submit that he was not involved in any unlawful activities and therefore requested re-issuance of passport.

4. This Court finds that re-issuance of passport when there are pending criminal cases stands covered by the decision of the Full Bench of this Court in W.P.(MD)No.26547 of 2025 dated 09.02.2026, wherein it was held that it may be necessary for the petitioner to get appropriate permission before the concerned Court and submit the same along with application contemplated under the Passport Act and Manual. The above observations were made after finding that re-issuance or renewal of passport has to be considered by the Passport Officer in the same manner as issuance of fresh passport. The relevant portions of the judgment is extracted hereunder:

“20.In fine, the question of reference is answered affirmatively that reissue / renewal of a passport has to be treated by the Passport Officer in the same manner as the issuance of a fresh passport. In other words, the rigor of Section 6(2)(f) of the Act subject to exemption under GSR 570(E) dated 25.08.1993 and the instructions in OM dated 10.10.2019 will apply to all applicants either as a fresh application or renewal / reissue.

21.Insofar as the case in hand, on the date of application for passport under TATKAAL scheme a criminal case against the writ petitioner pending trial before the Judicial Magistrate Court No.I,



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Madurai, in C.C.No.1730 of 2022, after taking cognizance. Therefore, he has to get prior permission of the Court concerned and submit the same along with his application, as contemplated under the Passport Act and Manual.

22.The issue under reference is answered accordingly and this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.”

5. In that view of the matter, it is open to the petitioner to obtain appropriate permission before the concerned Criminal Court where the criminal cases are pending and thereafter submit the same along with his application for re-issuance of passport before the respondents. On such submission of application along with appropriate permission obtained from the concerned Criminal Court, petitioner's application shall be considered by respondents and appropriate orders shall be passed on merits and in accordance with law after affording a reasonable opportunity of hearing to the petitioner.

6. Accordingly, the writ petition stands disposed of. No costs.

22-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To:

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MOHAMMED SHAFFIQ J.

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