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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

WP No. 40932 of 2026
and
WMP No. 45938 of 2026

CNR:{HCMA012268472026}

Suriyavasan Ravichandran

Petitioner(s)

Vs

1. The Union of India,
Rep. by its Secretary to Government,
Ministry of External Affairs,
South Block, New Delhi 110 011.

2.The Chief Passport Officer,
Passport Seva Division,
Ministry of External Affairs,
Government of India,
Patiala House Annexe, Tilak Marg,
New Delhi 110 001.

3.The Regional Passport Officer,
Regional Passport Office,
Coimbatore First Floor,
Corporation Commercial Complex,
Opposite Thandumariamman Koil,
Avinashi Road, Coimbatore 641 018.

4.The Inspector of Police,
Perugavazhandan Police Station,
Thiruvarur District.

Respondent(s)

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of writ of certiorarified mandamus, calling for the records relating to the impugned communication bearing Letter Ref.No.SCN/1056551655/26 dated 01.09.2026 issued by the 3rd respondent, and quash the same and consequently direct the 3rd respondent to consider and process the petitioner's application vide Application Reference No:26-1066881500 dated 06.08.2026 and pass.

For Petitioner(s): Mr.V.Selvaraj

For Respondent(s): Mr.S.Dilliraj
Central Government Counsel for
R1 to R3
Mr.Durai Gunasekaran
Government Advocate (Crl.Side)
for R4

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Challenging the impugned communication dated 01.09.2026 issued by the 3rd respondent and to direct the 3rd respondent to consider and process the petitioner's application vide Application Reference No:26-1066881500, dated 06.08.2026, the petitioner has filed the present writ petition.

2. The Petitioner, an Indian citizen, holding an Indian Passport valid upto 17.08.2026, submitted an application for renewal of his passport on 06.08.2026. The 3rd Respondent/Passport Authority kept the renewal application pending and subsequently issued the impugned communication dated 01.09.2026, after receiving an adverse police verification report detailing a pending First

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Information Report (FIR) in Crime No.497 of 2021 against the petitioner for the offences under Sections 408 and 420 of IPC, which has culminated in C.C.No.98 of 2022, on the file of the Judicial Magistrate-II, Mannargudi, Thiruvarur District. Aggrieved by the said communication, the petitioner has approached this Court, contending that under the relevant statute and official memorandum issued by the Central Government, the mere pendency of a criminal proceeding cannot be treated as an absolute or permanent bar against the issuance or renewal of a passport.

3. The learned Central Government Counsel appearing for the 3rd respondent/The Regional Passport Officer, on instructions, submitted that the petitioner's passport renewal application has been closed and the same cannot be reopened. Therefore, the petitioner shall submit a fresh passport application to the 3rd respondent for consideration.

4. The learned counsel for the 4th respondent would submit that criminal proceedings are pending in C.C.No.98 of 2022 on the file of the Judicial Magistrate No.II, Mannargudi, Thiruvarur District.

5. Heard the learned counsel on either side and perused the materials available on record.

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6. The Full Bench judgment of this Court in W.P.(MD) No.26547 of 2025, dated 09.02.2026 [*Jawahar Rajan Vs The Regional Passport Officer*], has held that the right of a person who is on bail or facing trial, or pending appeal may leave the country, subject to the permission of the competent Criminal Court, which can grant or withhold permission, impose conditions, insist of undertaking or refuse to leave altogether.

7. The dictum laid down in the judgment cited supra would apply on all fours to the case on hand. Therefore, the writ petition is allowed, and the impugned communication dated 01.09.2026 is set aside. The 3rd respondent is directed to issue the passport to the petitioner, subject to the condition that if the petitioner intends to travel out of the country, he shall obtain the necessary permission from the Judicial Magistrate No.II, Mannargudi, Thiruvarur District, in respect of the pending proceedings in C.C.No.98 of 2022. No costs. Consequently, connected Miscellaneous Petition is closed.

28-10-2026

Jd

Neutral Citation:Yes/No

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To

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P.T.ASHA J.
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