



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.4696 of 2026

and

W.M.P(MD)Nos.3934 & 3936 of 2026

Santha Sathish Santha Gunam

...Petitioner

Vs

1. The Regional Passport Officer,
Madurai, Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

2. The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of CERTIORARIFIED MANDAMUS calling for the records relating to the impugned Notice in Letter Reference No.SCN/1053639674/26 dated 06.02.2026 issued by the 1st respondent, quash the same, and consequently direct the 1st respondent to permit the petitioner to retain and continue to use his Passport bearing No.AM732377, by duly considering his explanation dated 16.02.2026.



For Petitioner : M/s.R.L.Dhilipan Pandian
For Respondents : M/s.R.Paranjothi
Central Government Standing
Counsel for R1
M/s.M.Aasha
Government Advocate(crl.side)
for R2

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ORDER

The present writ petition has been find filed seeking to quash the communication of the first respondent wherein the petitioner has been called upon to offer his explanation why the passport already issued cannot be impounded in view of the criminal case pending as against him.

2. The learned Government Advocate(crl.side) appearing for the second respondents brought to the notice of the Court that the petitioner has been implicated in a criminal case in Cr.No.32 of 2024 on the file of second respondent police. So far investigation has not been completed and charge sheet has not been laid.

3. This Court in a judgment reported in **2014 (8) MLJ 61** has held that mere pendency of FIR is not a legal impediment for issuance of the passport. Therefore, the first respondent is directed to consider the application of the petitioner and pass orders within a period of four weeks.



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4. Accordingly, the showcause notice impugned in the writ petition is hereby set aside. However, the second respondent is at liberty to approach the first respondent seeking impounding of the passport, in case if charge sheet, if any, is filed and the concerned trial Court has taken cognizance.

5. With the above said observations, this writ petition stands allowed to the extent as stated above. No costs. Consequently, connected miscellaneous petitions are also closed.

19.02.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

1. The Regional Passport Officer,
Madurai, Bharathi Ula Veethi,
Race Course Road,
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2. The Inspector of Police,
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R.VIJAYAKUMAR, J.

RJR

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