



WP(MD). No.7661 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24/03/2026

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THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

WP(MD). No.7661 of 2026

S.Perinbam

... Petitioner

Vs

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

2. The Superintendent of Police,
Ramanathapuram District.

3. The State of Tamil Nadu Rep,
By, the Inspector of Police,
Thangachimadam Police Station,
Ramanathapuram District.
Crime No. 1 of 2021.

... Respondents

PRAYER :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS directing the 1st Respondent to Issue Passport on the basis of the Petitioners application in Application Reference No.MDA067291792525 dated 09.01.2025 within a stipulated time frame to be fixed by this Court.



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For Petitioner : Mr. V.Janakiramulu,
Advocate.

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For Respondents : Mr.I.Sekar for R1
Central Government Standing Counsel

Mr.M.Vaikkam Karunanithi for R2 and R3
Government Advocate (Crl.Side)

ORDER

This writ petition has been filed seeking a direction to the first respondent to issue a passport based on the petitioner's application dated 09.01.2025 in Reference No. MDA067291792525.

2. The petitioner submitted an application on 09.01.2025 for issuance of a passport. The grievance of the petitioner is that the first respondent has not taken steps to process the application and issue the passport.

3. The learned Government Advocate, on instructions, submitted that a criminal case has been registered against the petitioner; however, a charge sheet has not yet been filed. It is further submitted that the issuance of a passport is governed by the provisions of the Passport Act.



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4. A mere registration of a criminal case is not one of the grounds enumerated under Section 6 of the Passport Act for refusal to issue a passport. In the absence of any statutory bar, the non-issuance of the passport on the ground of pendency of a criminal case is arbitrary and unsustainable.

5. Accordingly, this writ petition is allowed, and the first respondent is directed to process the petitioner's application dated 09.01.2025, without reference to the pendency of the criminal case, and to issue the passport, subject to the petitioner satisfying all other statutory requirements.

6. The above exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

24.03.2026

NCC : yes / no
Index : yes / no

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HEMANT CHANDANGOUDAR,J

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To

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