



W.P.(MD)No.9119 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.9119 of 2026

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... Petitioner

vs.

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

2.The State of Tamil Nadu,  
Rep by the Inspector of Police,  
Thiruppalaikudi Police Station,  
Ramanathapuram District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1<sup>st</sup> respondent to consider the petitioner's representation dated 13.03.2026, the passport in file No.MDA067396389325 dated 12.02.2025 pending before the 1<sup>st</sup> respondent office within a stipulated time that may be fixed by this Court.



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For Petitioner :Mr.B.Mahendrarajan  
For R1 :Mr.C.Shanmuga Sundaram  
For R2 :Mr.M.Vaikkam Karunanithi  
Government Advocate (crl.side)  
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### **ORDER**

The petitioner is before this Court seeking issuance of a writ of mandamus directing the first respondent to issue a fresh passport based on his application in File No. MDA067396389325 dated 12.02.2025.

2. The grievance of the petitioner is that, though he has submitted an application for issuance of a fresh passport, the same has not been processed by the first respondent. According to the petitioner, the application has been kept pending on the ground that a criminal case has been registered against him.

3. Mr. M. Vaikkam Karunanithi, learned Government Advocate (Criminal Side) appearing for the second respondent, on instructions, submitted that a criminal case has been registered against the petitioner in Crime No. 119 of 2024.



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

5. The refusal to issue or renew a passport is governed by the provisions of the Passports Act, 1967. Under Section 6 of the Act, the Passport Authority is empowered to refuse issuance or renewal of a passport only on the grounds specifically enumerated therein. One such ground is where proceedings in respect of an offence alleged to have been committed by the applicant are pending before a criminal court in India.

6. In the present case, the only reason cited by the respondents is the registration of an FIR against the petitioner. However, mere registration of an FIR does not fall within the grounds contemplated under Section 6 of the Act. The statutory bar arises only when criminal proceedings are pending before a competent criminal court.

7. Therefore, the action of the first respondent in withholding the



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petitioner's application solely on the basis of the registration of an FIR is not in consonance with the provisions of the Passports Act, 1967.

8. In view of the above, this Court finds merit in the petitioner's contention.

9. Accordingly, the writ petition is allowed, and the first respondent is directed to process the petitioner's application for issuance of a fresh passport bearing File No. MDA067396389325 dated 12.02.2025 and issue the passport, subject to the petitioner satisfying all other eligibility criteria prescribed under law.

10. The above exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

11. No costs.

Index :Yes / No  
NCC :Yes / No  
cmr

**06.04.2026**



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To

The Inspector of Police,  
The State of Tamil Nadu,  
Thiruppalaikudi Police Station,  
Ramanathapuram District.



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**HEMANT CHANDANGOUDAR, J.**

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