



W.P.(MD)No.8701 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:10.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.8701 of 2026

S.Gunasekaran

.. Petitioner

- Vs. -

1. The Passport Officer,
Regional Passport Office,
Bharathi Ula Road,
Reserve Line,
Madurai.

2. The Inspector of Police,
Thirukostiyur Police Station,
Sivagangai District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the 1 respondent to reissue the Petitioner`s Passport bearing No.G2893094 by considering his Passport Application in File No. MD5076072087125 dated 12.12.2025.

For Petitioner :Mrs.M.Sudharani



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For R1 :Mr.T.Lenin Kumar
Central Government Standing Counsel

For R2 :Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)

ORDER

The petitioner is before this Court seeking issuance of a writ of mandamus directing the first respondent to reissue his passport based on his application in File No. MD5076072087125 dated 12.12.2025.

2. The grievance of the petitioner is that, though he has submitted an application for re-issuance of 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 cases is pending against the petitioner in S.C.No.36 of 2026 on the file of the learned Principal Sessions Judge, Sivagangai.

3. Mr.M.Vaikkam Karunanithi, learned Government Advocate (Criminal Side), appearing for the respondent No.2, on receiving instructions, submitted that a criminal case is pending against the



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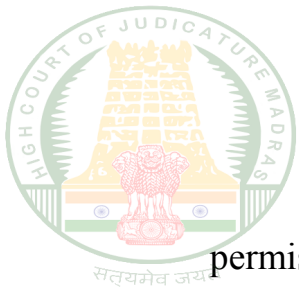
petitioner in S.C.No.36 of 2026 on the file of the learned Principal Sessions Judge, Sivagangai..

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

5. The Hon'ble Full Bench of this Court in W.P.(MD) No. 26547 of 2025, while answering a reference as to whether the re-issue/renewal of a passport should be treated in the same manner as the issuance of a fresh passport or merely as a case of renewal, held that the re-issue/renewal of a passport must be treated in the same manner as the issuance of a fresh passport. However, liberty was granted to the petitioner therein to obtain prior permission from the concerned Court and submit the same along with the passport application, as contemplated under the Passport Act, 1967.

6. In view of the above, this Writ Petition is disposed of granting liberty to the petitioner to approach the jurisdictional Court, where the criminal case is pending, and file an appropriate application seeking



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permission for issuance/renewal of the passport. If such an application is filed, the criminal Court concerned shall consider and pass appropriate orders within a period of three(3) weeks from the date of filing of the application. In the event of trial Court granted permission to the petitioner for renewing the passport, the first respondent shall process the application of the petitioner and pass appropriate orders on merits in accordance with law within a period of three (3) weeks from the date of fresh application submitted by the petitioner.

5. There shall be no order as to costs.

Index :Yes / No
NCC :Yes / No

10.04.2026

PJL

To

1. The Passport Officer,
Regional Passport Office,
Bharathi Ula Road,
Reserve Line,
Madurai.

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2. The Inspector of Police,
Thirukostiyur Police Station,
Sivagangai District.



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HEMANT CHANDANGOUDAR, J.

PJL

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