



W.P(MD)No.8633 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 30.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.8633 of 2026

Durairaj Sankaramoorthy

... Petitioner

Vs.

1. The Regional Passport Officer,
Passport Office,
New Municipal Complex,
Thillainagar 7th Cross,
Trichy - 620 018.

2. The Passport Officer,
Passport Office,
M.C.Road,
Thanjavur - 613 007.

3. The Superintendent of Police,
Thiruvarur District,
Thiruvarur.

4. The Inspector of Police,
PEW Police Station,
Thiruvarur.

...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 fresh passport in passport No.S8420368, the



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petitioners application No.TR1076493341126 dated 04.03.2026 within a stipulated time frame by this Honble Court and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner :Mr.C.Padma Raj
For R1 & R2 :Mr.D.Sathish Kumar
For R3 :Mr.K.Gnanasekaran
Government Advocate (Crl.Side)

ORDER

The writ petition is filed for a mandamus to issue fresh passport to the petitioner based on the petitioner's application dated 04.03.2026.

2. Heard the learned counsel appearing for the petitioner, Mr.D.Sathish Kumar, learned counsel who takes notice for R1 and R2 and Mr.K.Gnanasekaran, learned Government Advocate (Crl.Side), who takes notice for R3.



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3. When the matter came up for hearing today, the learned counsel appearing on behalf of respondents 1 and 2 submitted that, in view of the receipt of an adverse police report against the petitioner, the passport has not been issued.

4. The learned counsel appearing on behalf of the 3rd respondent would submit that a case has been registered against the petitioner in Crime No. 391 of 2025 for the alleged offences under Section 4(1)(C) of the Tamil Nadu Prohibition (Amendment) Act, and the same is under investigation. It is now well settled that, for the purpose of issuance of a passport, the mere pendency of an FIR under investigation cannot be treated as a pending criminal case, and on that ground, the authority cannot refuse to issue a passport. Needless to mention that, if and when a charge sheet is filed and the matter is taken on file by the appropriate court, the petitioner shall obtain permission from the concerned Court of law before leaving the country.



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5. In view thereof, this writ petition is ordered on the following terms:-

- i. The 1st respondent is directed to consider the application of the petitioner dated 04.03.2026 and issue passport to the petitioner as expeditiously as possible, in any event, not later than four weeks from the date of receipt of the web copy of the order, without waiting for the certified copy of the order, if there is no other impediment.
- ii. Needless to mention that as and when a charge sheet is filed and it is taken on file, the petitioner will take the permission of the concerned court before leaving abroad.
- iii. No costs.

30.03.2026

NCC:Yes/No
rgm



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To

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D.BHARATHA CHAKRAVARTHY, J.

rgm

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