



W.P.(MD)No.8374 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.03.2026

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THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.8374 of 2026

Balasubramanian

... Petitioner

vs.

1.The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli - 620 018.

2.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent no.1 to issue the passport to the petitioner in Application File No. TR2065667166925 dated 22.09.2025 within the time stipulated by this Court.



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For Petitioner :Mr.S.Gurumoorthy
For R1 :Mr.R.Saravanakumar
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 issue a passport in his favour pursuant to his application in File No. TR2065667166925 dated 22.09.2025.

2. The said application has not been processed on the ground that a criminal case has been registered against the petitioner in Crime No.289 of 2025. It is stated that the case is still under investigation and no charge sheet has been filed.

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



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4. 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 in the circumstances 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.

5. 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 would arise only when criminal proceedings are pending before a competent criminal court.

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



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7. In view of the above, this Court finds merit in the petitioner's case.

8. Accordingly, the writ petition is disposed of with a direction to the first respondent to process the petitioner's application for issuance of passport bearing File No. TR2065667166925 dated 22.09.2025 and issue the passport, subject to the petitioner satisfying all other eligibility criteria prescribed under law.

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

10. No costs.

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

27.03.2026

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To
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The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.



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HEMANT CHANDANGOUDAR, J.

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