



W.P.(MD)No.8637 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.06.2026

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THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.8637 of 2026

R.Anup Kumar Lohia

... Petitioner

vs.

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

2.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City

3.The Inspector of Police,
E-3, Anna Nagar Police Station,
Madurai – 625 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st Respondent to renew/reissue the petitioner's passport with normal validity period in accordance with law, without restricting the validity period to one year by considering the petitioners application dated 13.11.2025 within a time frame to be fixed by this Court.



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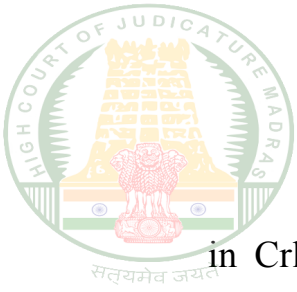
For Petitioner	:Mr.S.M.Mohan Gandhi
For R1	:Mr.P.Veerapandi Central Government Standing Counsel
For R2 and R3	:Mr.R.Mohamed Riyaz Government Advocate (crl.side)

ORDER

The petitioner is seeking for issuing a writ of mandamus directing the first respondent to renew/re-issue his passport with the normal validity period prescribed under law, without restricting its validity to one year.

2.The petitioner suffers from Neuralgia and has undergone treatment in various hospitals. As there was no significant improvement in his condition, he intended to travel abroad for further medical treatment. Since several criminal cases were pending against him, he had filed Crl.M.P. No.1864 of 2024 seeking permission in this regard. The trial Court dismissed the petition primarily on the ground that the petitioner had disclosed the pendency of only one criminal case.

3.Aggrieved by the dismissal, the petitioner approached this Court



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in CrI.O.P. (MD) No.1630 of 2025. Taking note of the fact that four criminal cases were pending against the petitioner, this Court directed the trial Court to grant a No Objection Certificate for renewal of the petitioner's passport, subject to certain conditions. The petitioner was required to file an affidavit detailing his travel itinerary, place of stay, communication details, and an undertaking that his identity would not be disputed at any stage. He was also required to consent to the recording of evidence in his absence, ensure that his travel would not delay the progress of the trial, and appear before the trial Court on dates when his presence was absolutely necessary. Pursuant to the said order, the first respondent re-issued the petitioner's passport with a validity period of one year.

4.The petitioner submitted that he had been regularly appearing before the trial Court whenever summoned and that he intended to travel abroad frequently for treatment of his Neuralgia. According to him, the one-year validity of the passport was causing considerable hardship.

5.I have considered the submissions made on either side and



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perused the materials available on record.

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6.The first respondent relied upon the notification dated 25.08.1993 issued under Section 22(a) of the Passport Act, 1967. The notification exempts Indian citizens against whom criminal proceedings are pending, and who produce orders from the concerned Court permitting them to travel abroad, from the operation of Section 6(2)(f) of the Act, subject to the conditions specified therein. Clause (a)(ii) of the notification provides that where no period is specified either for the issue of the passport or for travel abroad, the passport shall be issued for a period of one year.

7.It is noted that the petitioner's passport had been re-issued for one year because the earlier order did not specify any particular period. The petitioner had specifically stated that he needed to travel abroad frequently for treatment of Neuralgia and that he had previously been permitted by the trial Court to travel abroad. In these circumstances, the petitioner has made out a prima facie case for re-issuance of a passport with a validity period of five years.



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8. Accordingly, the writ petition is disposed of with a direction to the first respondent to re-issue the petitioner's passport with a validity of five years, pursuant to his application dated 13.11.2025, subject to his satisfying all other statutory requirements. The exercise shall be completed within four weeks from the date of receipt of a copy of the order.

9. However, it is made clear that before undertaking any foreign travel, the petitioner must obtain prior permission from the respective trial Courts before which the criminal cases against him are pending.

10. There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
cmr

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2. The Inspector of Police,
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HEMANT CHANDANGOUDAR, J.

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