



W.P.(MD)No.9570 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.9570 of 2026

Ramarajan

... Petitioner

vs.

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

2.The State of Tamilnadu,
Rep By its, the Inspector of Police,
Uchipuli 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 1st Respondent to consider the petitioners representation dated 19.03.2026 to re- issue the passport in file No. MDA076456046626 dated 25.02.2026 pending before the 1st 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.G.Moovendran
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 re-issue a passport based on his application in File No. MDA076456046626 dated 25.02.2026

2. The grievance of the petitioner is that, though an application has been submitted for re-issuance of a 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 Cr.No.293 of 2023.



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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 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.

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.



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7. 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.

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. MDA076456046626 dated 25.02.2026 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

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The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.



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HEMANT CHANDANGOUDAR, J.

cmr

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