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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2026

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THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.9239 of 2026

Sureshkumar Selvam

.. Petitioner

- Vs. -

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

2. The State of Tamil Nadu,
Rep., by the Inspector of Police,
Edamalaipatti Puthur Police Station,
Tiruchirappalli 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 1st respondent to issue passport in favour of the petitioner by considering his application and based on the explanation / representation dated 25.02.2026 within a time limit stipulated by this Court.

For Petitioner : Mr.P.Pratheesh

For Respondents : Mr.G.Ramanathan
Central Government Standing Counsel
for R1



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: Mr.M.Vaikkam Karunanithi
Government Advocate(Crl. Side) for R2

ORDER

The petitioner is before this Court seeking for a direction to the first respondent to issue passport pursuant to the application dated 06.02.2026 in File No.TR2066355794126.

2.The petitioner's application for issuance of passport had not been processed citing that a criminal case is pending against the petitioner in STC.No.1664 of 2026 on the file of the learned Judicial Magistrate No.II, Trichy.

3.Learned counsel for the petitioner submitted that the application is dated 06.02.2026 and the cognizance of the offence punishable under Section 160 IPC was taken by the jurisdictional criminal Court on 05.03.2026.

4. Section 160 of IPC deals with punishment for committing offence, who are committing 'affray', shall be punished for a period of one month in prison or a fine up to Rs.100/-, or both.



5. As on the date when the application was filed for issuance of passport, no criminal case was pending against the petitioner in any criminal court.

Therefore Section 6 of the Passports Act, 1967, cannot be invoked against the petitioner as on the date of the application, there was no criminal case pending against the petitioner in any criminal court of India. In any event, the offence is only punishable with imprisonment which may extend upto one month or with fine of Rs.100/- or with both.

6. In light of the above, the application of the petitioner for issuance of passport cannot be withheld. Accordingly, this Writ Petition is allowed. The first respondent is directed to process the application of the petitioner dated 06.02.2026 and issue passport subject to the petitioner satisfying other criteria. The said exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order. No Costs.

08.04.2026

Index : Yes/No
NCC : Yes/No
PJJ

To
1. The Regional Passport Officer,
Regional Passport Office, New Municipal Complex,
Thillai Nagar, 7th Cross, Tiruchirappalli District.



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HEMANT CHANDANGOUDAR, J.

PJL

2. The State of Tamil Nadu,
Rep., by the Inspector of Police,
Edamalaipatti Puthur Police Station,
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