



W.P.(MD)No.9288 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.9288 of 2026

Santhoshkumar

.. Petitioner

- Vs. -

1. The Regional Passport Officer,
Melakkal Main Road,
Kochadai,
Madurai District

2. The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court 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 vide application in File No.MD1066500706426 dated 05.03.2026, within the time frame as stipulated by this Court.

For Petitioner
For R1

:Mr.C.Suresh Kannan
:Mr.M.Gnanagurunathan
Central Government Standing Counsel



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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 renew his passport based on his application in File No. MD1066500706426 dated 05.03.2026.

2. The grievance of the petitioner is that, though he has submitted an application for issuance of 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 criminal cases have been registered against him.

3. Mr. M. Vaikkam Karunanithi, learned Government Advocate (Criminal Side), appearing for the respondent 2, on receiving instructions, submitted that a criminal case has been registered against the petitioner.



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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 on the grounds 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 competent criminal court in India.

6. In the present case, the only reason cited by the respondents is the registration of FIR against the petitioner. However, mere registration of 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.

7. Therefore, the action of the first respondent in withholding the petitioner's application solely on the basis of the registration of FIR is



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not in consonance with the provisions of the Passports Act, 1967.

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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 renewal of passport in File No. MD1066500706426 dated 05.03.2026 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
PJL

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HEMANT CHANDANGOUDAR, J.

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