



W.P.(MD)No.10133 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:10.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.10133 of 2026

Kumarvel

... Petitioner

- Vs. -

1. The Regional Passport Officer,
Regional Passport Office,
Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchrappalli.

2. The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur 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 to the petitioner on the basis of his passport Application TR0176312705726 dated 23.02.2026 within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.N.Balsubramanian

For Respondents : Mr.S.M.Ashok



W.P.(MD)No.10133 of 2026

Central Government Standing Counsel
For R1

: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. TR0176312705726 dated 23.02.2026.

2. The grievance of the petitioner is that, though he has submitted an application for renewal of his 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 case has been registered against him in Crime No.159 of 2021.

3. However, the criminal case is pending investigation and the police have not filed charge sheet as on today and no criminal cases are pending against the petitioner in any criminal court in India.



W.P.(MD)No.10133 of 2026

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



W.P.(MD)No.10133 of 2026

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.TR0176312705726 dated 23.02.2026 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. No costs.

10.04.2026

Index :Yes / No

NCC :Yes / No

PJL



W.P.(MD)No.10133 of 2026

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W.P.(MD)No.10133 of 2026

HEMANT CHANDANGOUDAR, J.

PJL

W.P.(MD)No.10133 of 2026

10.04.2026