



WP (MD). No.9665 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 09.04.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP (MD) No.9665 of 2026
and
WMP (MD) No.7687 of 2026

Karthikeyan

.. Petitioner

- Vs. -

1. The Regional Passport Officer,
Regional Passport Office,
Tiruchirapalli,
New Municipal Complex,
Thillainagar 7th Cross,
Thiruchirappalli - 620018.

2. The Inspector of Police,
Peravurani Police Station,
Peravurani,
Thanjavur District.

(In Crime No.783 of 2021).

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARIFIED MANDAMUS calling for the records pertaining to the Impugned order issued by the 1st Respondent dated 18.05.2022 and quash the same as illegal and consequently directing the respondent No.1 herein to re-issue or renew the passport of the petitioner on the basis of the



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petitioner's application No.TR1074194221722 dated 09.05.2022 within the time stipulated by this Court.

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For Petitioner : Mr.V.Selvakumar

For R1 : Mr.D.M.Balakrishnan
Central Government Standing counsel

For R2 :Mr.M.Vaikkam Karunanithi
Government Advocate(Crl. side)

ORDER

Mr.D.M.Balakrishnan, learned Central Government Standing counsel accepts notice for R1. Mr.M.Vaikkam Karunanithi, learned Government Advocate(Crl. side) takes notice for R2.

2. The petitioner is before this Court challenging the notice dated 18.05.2022 issued by the first respondent wherein the petitioner has been called upon to submit explanation in relation to Crime No.783 of 2021 registered against him for the offence punishable under Sections 147, 148, 294(b), 324, 506(ii) of IPC and Section 4 of the TNPHW Act.



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3. The petitioner's application for issuance of renewal of passport has not been processed citing that the criminal case is registered against the petitioner which is pending investigation.

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 1st respondent 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.



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7. Therefore, the impugned notice issued by the first respondent is arbitrary and discriminatory.

8. In such circumstances, the impugned notice issued by the first respondent is not legally sustainable. Hence, the writ petition is allowed and the impugned notice dated 18.05.2022 issued by the first respondent is hereby quashed.

9. The first respondent is hereby directed to renew the passport of the petitioner pursuant to the application dated 09.05.2022 subject to the petitioner satisfying other criteria. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No Costs. Consequently, connected miscellaneous petition is closed.

09.04.2026

Internet :Yes/No

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Index :Yes/No
NCC :Yes/No

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To

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HEMANT CHANDANGOUDAR, J

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