



WP (MD). No.9791 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 09.04.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP(MD)No.9791 of 2026

Sakthivel Nadimuthu

.. Petitioner

- Vs. -

1. The Regional Passport Officer,
Regional Passport Office,
Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli.
 2. The Inspector of Police,
Adhiramapattinam 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 in TRI05344565820 dated 16.07.2025 within a stipulated time as may be fixed by this Court.



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For Petitioner : Mr.N.Balasubramanian

For R1 : Mr.S.Anbu Hariharar
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 renew his passport based on his application in File No.TRI05344565820 dated 16.07.2025.

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 a criminal case has been registered against him.

3. Mr.M.Vaikkam Karunanithi, learned Government Advocate (Criminal Side), appearing for the



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respondent No.2, on instructions, submitted that a criminal case has been registered against the petitioner in Crime No.114 of 2023 for the offence under Sections 294(b), 324, 448, 427 and 506(ii) of IPC and the same is pending.

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 1st respondent is the registration of FIR against the petitioner. However, mere registration of FIR



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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 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 renewal of passport in File No. in TRI05344565820 dated 16.07.2025 and issue the passport, subject to the petitioner satisfying all other eligibility criteria prescribed under law.



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10. The above exercise shall be completed within a period of three (3) weeks from the date of receipt of a copy of this order. No costs.

09.04.2026

Internet :Yes/No
Index :Yes/No
NCC :Yes/No

PJL

To

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Thillai Nagar 7th Cross,
Tiruchirappalli.
2. The Inspector of Police,
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HEMANT CHANDANGOUDAR, J

PJL

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