



W.P.(MD)No.10451 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.10451 of 2026

P.Mahalingam

... Petitioner

vs.

1.The Regional Passport Officer,  
Regional Passport Office,  
New Municipal Complex,  
Thillai Nagar 7<sup>th</sup> Cross,  
Tiruchirappalli - 620 018.

2.The Inspector of Police,  
Thiruppanandhal Police Station,  
Thanjavur District.  
(Crime No.186/2022)

3.The Inspector of Police,  
Papanasam Police Station,  
Thanjavur District.  
(Crime No.618/2022)

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1<sup>st</sup> respondent to process the application of the petitioner and issue passport under File No. TR1077445619325 (Letter Ref. No.FCI/1052960375/25 dated 22.12.2025) within a time frame that may be fixed by this Court.



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For Petitioner :Mr.A.Rahul  
For R1 :Mr.P.M.Vishnuvarthan  
Central Government Standing Counsel  
For R2 and R3 :Mr.M.Vaikkam Karunanithi  
Government Advocate (crl.side)

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### **ORDER**

The petitioner is before this Court seeking issuance of a Writ of Mandamus directing the first respondent to issue a fresh passport based on his application in File No. TR1077445619325 (Letter Ref. No.FCI/1052960375/25 dated 22.12.2025)

2. The grievance of the petitioner is that, though an application has been submitted for issuance of a fresh 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 respondents 2 and 3, on instructions, submitted that criminal cases have been registered against the petitioner



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in Cr.No.186 of 2022 and 618 of 2022.

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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 in the circumstances 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 criminal court in India.

6. In the present case, the only reason cited by the respondents is the registration of an FIR against the petitioner. However, mere registration of an 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 action of the first respondent in withholding the petitioner's application solely on the basis of the registration of an 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 issuance of a fresh passport bearing File No. TR1077445619325 (Letter Ref. No.FCI/1052960375/25 dated 22.12.2025) 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.



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11. There shall be no order as costs.

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

**15.04.2026**

cmr

To

1.The Inspector of Police,  
Thiruppanandhal Police Station,  
Thanjavur District,

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



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**HEMANT CHANDANGOUDAR, J.**

cmr

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