



W.P.(MD)No.10105 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.04.2026

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THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.10105 of 2026

Lakshminarayanan

.. Petitioner

- Vs. -

1.The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai-2.

2.The Commissioner of Police,
Office of the Commissioner of Police,
1/165, Alagar Kovil Road,
Madurai District.

3.The Inspector of Police,
South Gate Police Station,
Madurai.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the entire records in connection with the impugned letter issued by the first respondent vide letter reference No.SCN/1054297151/26 dated 23.03.2026 and quash the same and consequently direct the first respondent to reissue a fresh passport based on the application submitted by the petitioner vide file No:MD1076567670326 dated 18.03.2026.



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For Petitioner : Mr.R.Vignesh

For Respondents : Mr.S.Satheeskumar
Central Government Standing Counsel for R1

Mr.M.Vaikkam Karunanithi
Government Advocate (Criminal side) for R2 & R3

ORDER

The petitioner challenges the impugned letter bearing Reference No. SCN/1054297151/26 dated 23.03.2026 issued by the first respondent.

2. The grievance of the petitioner is that his application has been rejected on the ground that a criminal case has been registered against him in Crime No. 53 of 2022, which is still pending investigation.

3. Learned counsel for the petitioner submitted that the petitioner had filed CrI.O.P. (MD) No. 2446 of 2022 seeking quashing of the criminal case in Crime No. 53 of 2022, and this Court, by order dated 04.02.2022, disposed of the said petition by recording the statement made by the complainant through counsel that he had no objection to granting bail to the petitioner.

4. Heard the learned counsel appearing on either side and perused the materials available on record.



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5. The refusal to issue or renew a passport is governed by the provisions of the Passports Act, 1967. Under Section 6 of the said 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 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.

7. Therefore, the action of the first respondent in withholding the petitioner's application solely on the basis of registration of the 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 contention raised by the petitioner.



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9. Accordingly, the writ petition is allowed, and the impugned letter dated 23.03.2026 bearing Reference No. SCN/1054297151/26 issued by the first respondent is hereby quashed.

10. The first respondent is directed to issue a fresh passport in favour of the petitioner, subject to the petitioner satisfying all other eligibility criteria prescribed under law.

11. The aforesaid exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

12. No costs.

10.04.2026

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

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HEMANT CHANDANGOUDAR, J.

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