



W.P.(MD)No.10171 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.10171 of 2026

Kaleemullah

..Petitioner

- Vs. -

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

2. The State of Tamilnadu Rep. by,
The Inspector of Police,
Melapalayam Police Station,
Tirunelveli 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 based on the petitioner's Application File No.MD2066521230026 by considering the petitioner's explanation dated 30.03.2026

For Petitioner : Mr.S.Sathyachidambaram



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For Respondents : Mr.R.Ramanatha Sethupathy
Central Government Standing Counsel
for R1

: Mr.M.Vaikkam Karunanithi
Government Advocate(Crl. Side)
for R2

O R D E R

The petitioner is before this Court seeking for a direction to the first respondent to issue passport pursuant to the application in File No.MD2066521230026, dated 30.03.2026.

2.The petitioner's application for issuance of passport had not been processed citing that a criminal case is pending against the petitioner in C. C. No. 1362 of 2022 before the learned Judicial Magistrate No.V, Tirunelveli.

3. The Hon'ble Full Bench of this Court in W.P.(MD) No. 26547 of 2025, while answering a reference as to whether the re-issue/renewal of a passport should be treated in the same manner as the issuance of a fresh



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passport or merely as a case of renewal, held that the re-issue/renewal of a passport must be treated in the same manner as the issuance of a fresh passport. However, liberty was granted to the petitioner therein to obtain prior permission from the concerned Court and submit the same along with the passport application, as contemplated under the Passport Act, 1967.

4. In view of the above, this Writ Petition is disposed of granting liberty to the petitioner to approach the jurisdictional Court, where the criminal case is pending, and file an appropriate application seeking permission for issuance/renewal of the passport. If such an application is filed, the criminal Court concerned shall consider and pass appropriate orders within a period of four(4) weeks from the date of filing of the application.

5. In the event of trial Court granted permission to the petitioner for renewing the passport, the first respondent shall process the application of the petitioner in File No.MD2066521230026 dated 30.03.2026 on merits and pass appropriate orders in accordance with law



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within a period of four (4) weeks from the date of fresh application
submitted by the petitioner.

6. There shall be no order as to costs.

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Index :Yes / No

NCC :Yes / No

PJL

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HEMANT CHANDANGOUDAR, J.

PJL

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