



W.P.(MD)No.10111 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.10111 of 2026

Maha Santhosh

.. Petitioner

- Vs. -

1.The Regional Passport Officer,
Regional Passport Office,
New Trichy Municipal Office Building,
Thillai Nagar 7th Cross,
Trichy-620 018.

2.The Inspector of Police,
Vattathikottai 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, to direct the first respondent to issue fresh passport to the petitioner vide his application in File No.TR106651781826 dated 09.03.2026 on the file of the first respondent authorities, within the stipulated time fixed by this Court.

For Petitioner : Mr.K.Malaimaran

For Respondents : Mr.V.Boominathan
Central Government Standing Counsel for R1

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



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ORDER

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The petitioner has approached this Court seeking a direction to the first respondent to issue a fresh passport pursuant to his application dated 09.03.2026.

2. The grievance of the petitioner is that, despite having 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 in Crime No.121 of 2020 has been registered against him.

3. Mr. M. Vaikkam Karunanithi, learned Government Advocate (Criminal Side) appearing for the second respondent, on instructions, submitted that a criminal case has indeed been registered against the petitioner.

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



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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 operates only when criminal proceedings are pending before a competent criminal court.

7. Therefore, the action of the first respondent in keeping the petitioner's application pending 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 case.

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. TR106651781826 dated 09.03.2026 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 four (4) weeks from the date of receipt of a copy of this order.

11. There shall be no order as to costs.

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

- 1.The Regional Passport Officer,
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HEMANT CHANDANGOUDAR, J.

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