



W.P(MD)No.10300 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.10300 of 2026

Periayasamy

.. Petitioner

Vs

1.The Regional Passport Officer,
Regional Passport Office, Madurai,
Bharathi Ula Veethi,
Race Course Road, Madurai - 625 002.

2.The Inspector of Police,
Sakkotai Police Station,
Sivagangai District,
In Crime No.304/2014 & 296/2016.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the first respondent to re-issue passport to the petitioner on the basis of the petitioner's passport application taken on file as File No.MD1076119694725 and by considering the petitioner's reply dated 07.01.2026 and 21.02.2026 within the time stipulated by this court.



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For Petitioner : Mr.A.Abdul Wahab
For Respondents : Mr.T.Mahendran
Central Govt. Standing Counsel
for R1
Mr.M.Vaikkam Karunanithi
Govt. Advocate (crl.side) for R2

ORDER

The petitioner is before this Court seeking issuance of a Writ of Mandamus to direct the first respondent to re-issue passport to the petitioner on the basis of his passport application taken on file as File No.MD1076119694725 and by considering his reply dated 07.01.2026 and 21.02.2026 within the time stipulated by this court.

2.The grievance of the petitioner is that, though an application has been submitted for re-issuance of 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.Vaikam Karunanithi, learned Government Advocate (Criminal Side) appearing for the second respondent, on instructions, submitted that a criminal case has been registered against the petitioner in Crime No.296 of 2016.



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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.

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. Accordingly, the writ petition is disposed of directing the first respondent to process the petitioner's passport application taken on



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file as File No.MD1076119694725 and issue the passport, subject to the petitioner satisfying all other eligibility criteria. The above exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order. No costs.

15.04.2026

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

To

- 1.The Regional Passport Officer,
Regional Passport Office, Madurai,
Bharathi Ula Veethi,
Race Course Road, Madurai - 625 002.
- 2.The Inspector of Police,
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HEMANT CHANDANGOUDAR, J.

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