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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.10610 of 2026

and

W.M.P(MD)No.8315 of 2026

N.Gopi Sankar

.. Petitioner

- Vs. -

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

2. The State Rep. By,
The Inspector of Police,
Thadicombu Police Station,
Dindigul District.
(Crime No.375 of 2011).

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the proceedings in Letter Ref. No. IMP/1054231691/26 dated 18.03.2026 and quash the same as illegal and consequently direct the 1st respondent to release the petitioner's passport bearing Passport No.W9646925 based on his Application No.MD

1/6



2075241159123 for renewal/ re-issue of his passport.

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For Petitioner : Mr.M.Benazir Begum

For Respondents : Mr.M.Kannan
Central Government Standing Counsel
for R1

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

ORDER

The petitioner challenges the communication dated 18.03.2026 issued by the first respondent. In the said communication, a decision is taken to impound the passport bearing No.W9646925 citing that a criminal case is pending before the Court. The impounding of passport was in exercise of its power under Section 10(3) (e) of the Passports Act, 1967.

2. Heard the learned counsel on either side.

3. A criminal case was registered against the petitioner in Crime No. 375 of 2011 and the validity of the registration of the said crime number was assailed by the petitioner before this Court in Crl.O.P(MD)No.10257



of 2023 and the petitioner contends that the further investigation has been stayed by this Court.

4. Reading of the Section 10(3) of the Passports Act, 1967, clearly reveals that the Passport authority can impound the passport only if a case is pending against the petitioner in a criminal Court. In the instant, no criminal case is pending against the petitioner in any criminal court in India and therefore, the impounding of the Passport of the petitioner lack statutory authority.

5. In light of the above, the impugned communication issued by the first respondent is not legally sustainable.

6. Accordingly, the Writ Petition is allowed. The impugned communication dated 18.03.2026 bearing Ref. No. IMP/1054231691/26 issued by the first respondent is hereby quashed.

7. The first respondent is directed to release the passport to the petitioner forthwith and also consider the case of the petitioner for renewal of his passport in accordance with law.



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8. There shall be no orders as to costs. Consequently, connected miscellaneous petition is closed.

16.04.2026

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

PJL

To

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HEMANT CHANDANGOUDAR, J.

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