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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.10623 of 2026

Sathish

.. Petitioner

- Vs. -

1. The Regional Passport Officer,
The Regional Passport Office,
Madurai, Bharathi Ula Veethi,
Madurai - 625002

2. The State of Tamil Nadu Rep., by,
The Inspector of Police,
Peraiyur Police Station,
Madurai.
(Crime No.102 of 2025)

.. 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 consider the petitioner's application for issuance of passport in (ARN) Application Reference No. 26-1-52671019 dated 12.02.2026 and issue passport within a stipulated time fixed by this Court.



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For Petitioner : Mr.T.Antony Arulraj

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

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

ORDER

The petitioner is before this Court seeking issuance of a writ of mandamus directing the first respondent to renew his passport based on his application in File No. 26-1-52671019 dated 12.02.2026.

2. The grievance of the petitioner is that, though he has 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 criminal cases have been registered against him.



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3. Mr.M.Vaikkam Karunanithi, learned Government Advocate (Criminal Side), appearing for the respondent No.2, on instructions, submitted that a criminal case has been registered against the petitioner in Crime No.102 of 2025 for the offence punishable under Section 303(2) of BNS, and Section 4(1)(1A) r/w 21(5) of MMDR Act.

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 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.



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6. In the present case, the only reason cited by the respondents is the registration of FIR against the petitioner. However, mere registration of 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 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 contention.

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. 26-1-52671019 dated 12.02.2026 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 orders as to costs.

16.04.2026

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

PJL

To
1. The Regional Passport Officer,
The Regional Passport Office,
Madurai, Bharathi Ula Veethi,
Madurai - 625002

2. The Inspector of Police,
Peraiyur Police Station,
Madurai.
(Crime No.102 of 2025)



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HEMANT CHANDANGOUDAR, J.

PJL

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