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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.11373 of 2026

S.Peter

.. Petitioner

- Vs. -

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

2. The Inspector of Police,
Thondi Police Station,
Thiruvadanai Taluk,
Ramanathapuram 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 renew the petitioner's passport bearing No.P3822443 by considering the petitioner's application No.26-1056296864 dated 06.04.2026 and for other reliefs within a period stipulated by this Court.



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For Petitioner

: Mr.S.Atham Ali

For Respondents

: Mr.P.Veerapandi

Central Government Standing Counsel
for R1

: Mr.M.Vaikkam Karunanithi

Government Advocate(Crl. Side)
for R2

ORDER

The petitioner is before this Court seeking for a direction to the first respondent to reissue passport pursuant to the application in Application No.26-1056296864 dated 06.04.2026.

2. The application submitted by the petitioner for re-issuance of passport has not been processed citing a criminal case was registered in Crime No.54 of 2020.

3. Mr.M.Vaikkam Karunanithi, learned Government Advocate (Criminal Side), appearing for the respondent No.2, on receiving instructions, submitted that the police, after investigation, closed the complaint against the petitioner and subsequently, the State has filed



Crl.M.P.No.3897 of 2024 before the Judicial Magistrate concerned for re-opening of the case. However, as of today, no criminal case is registered as 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 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 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.



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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. Accordingly, the Writ Petition is disposed of by directing the first respondent to process the petitioner's application for renewal of passport in Application No.26-1056296864 dated 06.04.2026 and issue the passport, subject to the petitioner satisfying all other eligibility criteria prescribed under law.

9. The above exercise shall be completed within a period of four(4) weeks from the date of receipt of a copy of this order.

10. There shall be no order as to costs.

21.04.2026

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



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To

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2. The Inspector of Police,
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HEMANT CHANDANGOUDAR, J.

PJL

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