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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2026

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THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.11352 of 2026

Abul Kalam Asath

.. Petitioner

- Vs. -

1. The Regional Passport Officer,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625002.
2. The Superintendent of Police,
Collectorate Complex,
Kochi- Dhanuskodi Road,
Ramanathapuram District.
3. The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
4. The Inspector of Police,
Thideer Nagar (Crime) Police Station,
Madurai City.
Cr. No.1121 of 2008.

.. 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



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Respondent to re-issue the passport on basis of the petitioner's Application Reference No. MD1076625038426 dated 01.04.2026, within a time frame fixed by this Court.

For Petitioner : Mr.J.Peer Mohammed

For Respondent : Mr.B.Santhosh Kumar.
Central Government Standing Counsel
for R1

: Mr.M.Vaikkam Karunanithi
Government Advocate(Crl. Side)
for R2 to R4

ORDER

Mr.B.Santhosh Kumar, learned Central Government Standing Counsel takes notice for the first respondent. Mr. M.Vaikkam Karunanithi, learned Government Advocate(Crl. Side) takes notice for respondent Nos. 2 to 4.

2. The petitioner is before this Court seeking for a direction to the first respondent to reissue passport pursuant to the application in Reference No. MD1076625038426, dated 01.04.2026.



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3. The petitioner was earlier issued passport and during the period of validity, the said passport was misplaced and thereafter submitted an application for re-issuance of passport. The said application has not been processed citing the registration of FIR in Crime No.1121 of 2008.

4. Mr.M.Vaikkam Karunanithi, learned Government Advocate (Criminal Side), appearing for the respondents 2 to 4, on receiving instructions, submitted that a criminal case has been registered against the petitioner.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. 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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7. 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.

8. 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.

9. In view of the above, this Court finds merit in the petitioner's contention.

10. Accordingly, the Writ Petition is disposed of by directing the first respondent to process the petitioner's application for renewal of passport in Application Reference No.MD1076625038426 dated 01.04.2026 and issue the passport, subject to the petitioner satisfying all other eligibility criteria prescribed under law.



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11. The above exercise shall be completed on or before 15.05.2026.

12. There shall be no order as to costs.

21.04.2026

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

PJL

To

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

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