



W.P.(MD)No.14017 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 01.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.14017 of 2026

Sundar Ganesh

... Petitioner

VS.

1.The Regional Passport Officer,
The Regional Passport Office, Madurai.

2.The Commissioner of Police,
The Office of Commissioner of Police,
Chennai.

3.The Inspector of Police,
CCB-I Police Station,
Besant Nagar, Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned notice passed by 1st respondent in SCN/1054592660/26 dated 15.04.2026 and quash the same and to direct the respondent to issue the passport.

For Petitioner	:Mr.J.Joseph Zinoson
For R1	:Mr.P.Santhosh Kumar Central Government Standing Counsel
For R2 and R3	:Mr.R.Mohamed Riyaz Government Advocate (Crl.side)



W.P.(MD)No.14017 of 2026

WEB COPY

ORDER

The petitioner assails the impugned show cause notice issued by the first respondent and for a direction to direct the first respondent to issue passport to the petitioner.

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 a criminal case has been registered against him.

3. Mr. R. Mohamed Riyaz, learned Government Advocate (Criminal Side) appearing for the respondents 2 and 3, on instructions, submitted that a criminal case has been registered against the petitioner and a charge sheet has also been filed; however, cognizance has not yet been taken.

4. Heard the learned counsel appearing on either side and perused



W.P.(MD)No.14017 of 2026

the materials available on record.

WEB COPY

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 first respondent 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.



W.P.(MD)No.14017 of 2026

WEB COPY

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 issuance of a fresh passport bearing File No. MD8076625089726 and issue the passport, subject to the petitioner satisfying all other eligibility criteria prescribed under law.

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 order as to costs.

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

01.06.2026

cmr



W.P.(MD)No.14017 of 2026

To
WEB COPY

1.The Commissioner of Police,
The Office of Commissioner of Police,
Chennai.

2.The Inspector of Police,
CCB-I Police Station,
Besant Nagar, Chennai.



WEB COPY



W.P.(MD)No.14017 of 2026

HEMANT CHANDANGOUDAR, J.

cmr

W.P.(MD)No.14017 of 2026

01.06.2026