



W.P.(MD)No.13964 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.13964 of 2026

Faizul Sharief

... Petitioner

vs.

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

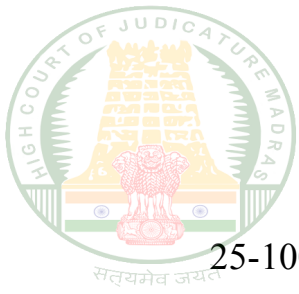
2.The State of Tamilnadu Rep. by its,
The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.

3.The Deputy Superintendent of Police
National Investigation Agency (NIA),
New Delhi.

4.The Deputy Superintendent of Police,
National Investigation Agency (NIA),
Ernakulam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st Respondent to consider the petitioner's passport application in Reference No.(ARN)



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25-1001423795 dated 01.02.2025 to re-issue a passport pending before the 1st respondent office within a stipulated time that may be fixed by this Court.

For Petitioner :Mr.B.Mahendrarajan
For R1 :Mr.B.Brijesh Kishore
Central Government Standing Counsel
For R2 :Mr.R.Mohamed Riyaz
Government Advocate (crl.side)
For R3 and R4 : Mr.R.Karthikeyan,
Special Public Prosecutor

ORDER

The petitioner is before this Court seeking issuance of a Writ of Mandamus directing the first respondent to re-issue the passport to the petitioner based on the petitioner's application in Reference No.(ARN) 25-1001423795 dated 01.02.2025.

2. The grievance of the petitioner is that, though an application has been submitted for re-issuance 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 a criminal case has been registered against him.



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3. Mr.R.Mohamed Riyaz, learned Government Advocate (Criminal Side) appearing for the second respondent, on instructions, submitted that a criminal case has been registered against the petitioner in R.C-. 16/2019/NIA/DLI dated 09.07.2019 on the file of the third respondent herein.

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 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.



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6. In the present case, the only reason cited by the respondents 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.

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 re-issuance of his passport in Reference No.(ARN) 25-1001423795 dated 01.02.2025 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. No costs.

Index :Yes / No
NCC :Yes / No
PJJ

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HEMANT CHANDANGOUDAR, J.

PJL

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