



W.P.(MD)No.14776 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.14776 of 2026

Seeni Mohamed Segu Nainar

... Petitioner

vs.

1.The Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillainagar 7th Cross,
Tiruchirappalli.

2.State of Tamil Nadu,
The Superintendent of Police,
O/o. the Superintendent of Police,
Tiruchirappalli District.

3.State of Tamil Nadu,
The Inspector of Police,
Thiruverambur Police Station,
Tiruchirappalli District.

... 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 order issued by the 1st respondent in Letter Ref.No.OBJ/1054628162/26 dated 17.04.2026 pertaining to Passport Application No.TR2076665910126 and quash the same as illegal and



W.P.(MD)No.14776 of 2026

consequently, to direct the Respondent No.1 to renew the petitioner's passport by considering the representation dated 05.05.2026.

For Petitioner :Mr.SMA.Jinnah
For R1 :Mr.A.Devarajan
Central Government Standing Counsel
For R2 and R3 :Mr.M. Mohamed Riyaz
Government Advocate (Crl.side)

ORDER

Heard Mr. SMA. Jinnah, learned counsel for the petitioner; Mr. A. Devarajan, learned Central Government Standing Counsel, who accepts notice on behalf of the first respondent and M. Mohamed Riyaz, learned Government Advocate (Crl.side), who accepts notice on behalf of the respondents 2 and 3.

2. The petitioner challenges the impugned order issued by the first respondent, dated 17.04.2026 and seeking a direction to the first respondent to renew the petitioner's passport.

3. The petitioner's application for renewing his passport has not been processed on the ground that a criminal case is pending against the petitioner in S.T.C. No. 5415 of 2022 on the file of the Judicial



W.P.(MD)No.14776 of 2026

Magistrate No. VI, Trichy. The petitioner has produced a copy of the order passed by the Coordinate Bench of this Court in Crl. O. P.(MD) No. 21582 of 2026 dated 07.12.2022, whereby, the proceedings in S.T.C. No. 5415 of 2022 was stayed.

4.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.

5.In the present case, the only reason cited by the first respondent is the pendency of the criminal case against the petitioner before the Judicial Magistrate Court No. VI, Trichy. However, the Coordinate Bench of this Court, by order dated 07.12.2022, has stayed the said criminal proceedings. The statutory bar arises only when criminal proceedings are pending before a competent criminal Court.



W.P.(MD)No.14776 of 2026

WEB COPY

6. Therefore, the action of the respondent in withholding the petitioner's application solely on the basis of the pending criminal case, which has subsequently been stayed, is not in consonance with the provisions of the Passports Act, 1967.

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

8. Accordingly, the writ petition is allowed and the impugned order passed by the first respondent, dated 17.04.2026 is quashed and the first respondent is directed to process the petitioner's application for re-issuance of passport bearing application No. TR2076665910126, 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.



W.P.(MD)No.14776 of 2026

WEB COPY

10. There shall be no order as to costs.

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

04.06.2026

cmr

To

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Tiruchirappalli District.

2. The Inspector of Police,
Thiruverambur Police Station,
Tiruchirappalli District.



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W.P.(MD)No.14776 of 2026

HEMANT CHANDANGOUDAR, J.

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W.P.(MD)No.14776 of 2026

04.06.2026