

W.P.(MD)No.14867 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **05.06.2026**

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P(MD) No. 14867 of 2026

Parthiban

.. Petitioner

- Vs. -

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

2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus or any other appropriate Writ of Direction, directing the 1st Respondent to issue passport to the petitioner by processing the application No.MD1066759336126 dated 30.04.2026 within a stipulated time period in accordance with law on the basis of the explanation-cum-representations dated 05.05.2026 and its remainder dated 25.05.2026.



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For Petitioner(s) : Mr.C.Senthil Murugan

For Respondent(s) : Mr.S.Mariappan,
Central Government Standing Counsel
for R1

: Mr.R.Mohamed Riyaz,
Government Advocate (Crl. Side)
for R2

ORDER

The petitioner is before this Court seeking for a direction to the first respondent to issue passport pursuant to the application in No.MD1066759336126 dated 30.04.2026.

2. The application submitted by the petitioner for issuance of passport has not been processed citing a criminal case was registered in Crime No.259 of 2017.

3. Mr.R.Mohamed Riyaz, learned Government Advocate (Criminal Side), appearing for the respondent No.2, on receiving instructions, submitted that a criminal case has been registered against the petitioner.



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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.

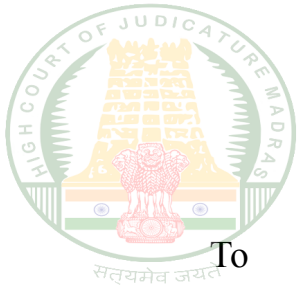
8. In view of the above, this Court finds merit in the petitioner's contention. Accordingly, the Writ Petition is disposed of by directing the first respondent to process the petitioner's application for issuance of passport in No.MD1066759336126 dated 30.04.2026 and issue the passport, subject to the 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.

05.06.2026

Index : Yes / No
NCC : Yes / No
PJJ



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HEMANT CHANDANGOUDAR, J.

PJL

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