



W.P.(MD)No.15534 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.15534 of 2026

A.Abbas Ali Ashraf Ala

... Petitioner

vs.

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

2.The Superintendent of Police,
Sivaganga District.

3.The Inspector of Police,
Thiruppuvanam Police Station,
Sivaganga 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 impugned communication dated 07.04.2026 in letter ref SCN/1054490216/26 issued by the 1st respondent and quash the same and consequently, to direct the 1st respondent to issue passport to the petitioner by considering the petitioner's application no.MD1076586324326 dated 23.03.2026.



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For Petitioner	:Mr.S.Mohammed Bayas Ali
For R1	:Ms.B.Deepa Central Government Standing Counsel
For R2 and R3	:Mr.R.Mohamed Riyaz Government Advocate (crl.side)

ORDER

The petitioner is before this Court challenging the show cause notice dated 07.04.2026 issued by the first respondent.

2. By the said notice, the petitioner has been called upon to appear in person and submit relevant documents before the Enquiry Officer at the Passport Office in connection with an adverse report received from the second respondent.

3. The petitioner's application for issuance of passport has not been processed on the ground that a criminal case has been registered against her in Crime No.295 of 2025.

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



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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 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.



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8. In view of the above, this Court finds that the impugned show cause notice is not legally sustainable.

9. Accordingly, the writ petition is allowed and the show cause notice dated 07.04.2026 issued by the first respondent is set aside. The first respondent is directed to process the petitioner's application dated 23.03.2026 and issue the passport, subject to the petitioner satisfying all other eligibility criteria.

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
Internet :Yes / No
NCC :Yes / No

10.06.2026

cmr



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To

- 1.The Superintendent of Police,
Sivaganga District.
- 2.The Inspector of Police,
Thiruppuvanam Police Station,
Sivaganga District.



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HEMANT CHANDANGOUDAR, J.

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