



W.P(MD)No.16756 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2026

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THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.16756 of 2026

and

W.M.P(MD)No.13143 of 2026

Amartyan Selvaraj

... Petitioner

vs.

1.The Regional Passport Officer,
O/o Regional Passport Office,

2.The State of Tamil Nadu rep. by
The Inspector of Police,
Cyber Crime Police Station,
Theni.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to reissue the passport based on the petitioner's application in File No.MD1075160183425 dated 10.06.2025.

For Petitioner :Mr.TK.Siddharthan

For Respondents :Mr.A.Devarjan
Central Govt. Standing Counsel
for R1

Mr.P.Mohamed Riyaz
Govt. Advocate (crl. side)



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ORDER

The petitioner is before this Court seeking issuance of Writ of Mandamus directing the 1st respondent to reissue the passport based on the petitioner's application in File No.MD1075160183425 dated 10.06.2025.

2. The grievance of the petitioner is that, though an application has been submitted for issuance of a fresh 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 second respondent, on instructions, submitted that a criminal case has been registered against the petitioner in Cr.No.20 of 2024.

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.

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



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9. Accordingly, the writ petition is allowed and the first respondent is directed to process the petitioner's application for re-issuance of a passport bearing File No.MD1075160183425 dated 10.06.2025. 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. No costs. Consequently, the connected miscellaneous petition is closed.

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

24.06.2026

skn

To

The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.



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HEMANT CHANDANGOUDAR, J.

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