



W.P.(MD)No.17219 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.06.2026

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THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.17219 of 2026

and

W.M.P.(MD)Nos.12750 and 12753 of 2026

D.Santhi

... Petitioner

vs.

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

2.The Inspector of Police,
Uchippuli Police Station,
Ramanathapuram 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 entire records pertaining to the impugned order of the Respondent No.1 dated 09.04.2026 and quash the same as illegal and direct the Respondent No.1 to issue renewal passport to the petitioner by considering his application in File No. MD1076571174026 dated 19.03.2026 by considering the reply by the petitioner dated 06.04.2026 within time stipulated by this Court.



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For Petitioner :Mr.T.Muhila
For R1 :Mr.K.Govindarajan
Deputy Solicitor General of India
For R2 :Mr.R.Mohamed Riyaz
Government Advocate (Crl.side)

ORDER

The petitioner challenges the show cause notice dated 09.04.2026 issued by the first respondent.

2. Under the impugned show cause notice, the petitioner has been called upon to submit her explanation in view of an adverse police verification report stating that she is a citizen of Sri Lanka and not a citizen of India.

3. The petitioner states that she was born on 06.05.1992 in Sri Lanka to parents who are citizens of Sri Lanka and was subsequently adopted by Indian citizens. She further states that she had earlier been issued an Indian passport on three occasions and that the present application is for renewal of her passport. Instead of renewing the passport, the first respondent has issued the impugned show cause notice calling upon her to furnish an explanation.



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4. Learned counsel for the petitioner submitted that, in view of Section 20 of the Passports Act, 1967, the petitioner is entitled to renewal of her passport.

5. Per contra, the learned Deputy Solicitor General of India submitted that Section 20 merely enables the Central Government to issue a passport to a non-citizen in appropriate cases if it is satisfied that such issuance is necessary in the public interest. It was contended that the petitioner cannot, as a matter of right, claim renewal of her passport if she is not an Indian citizen.

6. Section 20 of the Passports Act, 1967 reads thus:

“20. Issue of passports and travel documents to persons who are not citizens of India.—Notwithstanding anything contained in the foregoing provisions relating to the issue of a passport or travel document, the Central Government may issue, or cause to be issued, a passport or travel document to a person who is not a citizen of India if that Government is of the opinion that it is necessary to do so in the public interest.”

7. A plain reading of the above provision makes it clear that the Central Government is empowered to issue a passport or travel document



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to a person who is not a citizen of India if it is satisfied that such issuance is necessary in the public interest.

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8. The object of incorporating the said provision is to enable the Central Government, in exceptional cases and having regard to international conventions and usage, to issue a passport or travel document to a person who is not an Indian citizen.

9. In the present case, instead of submitting an explanation to the show cause notice, the petitioner has directly approached this Court. Since the show cause notice merely calls upon the petitioner to furnish her explanation, the writ petition is premature.

10. Accordingly, the writ petition is disposed of by reserving liberty to the petitioner to submit her explanation to the show cause notice dated 09.04.2026 within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such explanation, the first respondent shall consider the same, afford the petitioner an opportunity of personal hearing, and thereafter pass a reasoned order in accordance with law within a period of six weeks.



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11. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

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

23.06.2026

cmr

To

The Inspector of Police,
Uchippuli Police Station,
Ramanathapuram District.



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HEMANT CHANDANGOUDAR, J.

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