



W.P.(MD)No.17204 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.17204 of 2026

Sornasiva

... Petitioner

vs.

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

2.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st respondent to re-issuance of petitioner's Passport No.P8638586 by processing his application File No.MD2076412252326 dated 17.02.2026 based on the petitioner's explanation letter dated 09.06.2026 within a time limit stipulated by this Court.



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W.P.(MD)No.17204 of 2026

For Petitioner :Mr.V.M.Jegadeesha Pandian
For R1 :Mr.G.Mariselvam
Central Government Standing Counsel
For R2 :Mr.R.Mohamed Riyaz
Government Advocate (Crl.side)

ORDER

The petitioner is before this Court seeking issuance of a Writ of Mandamus directing the first respondent to re-issue the passport based upon his application in File No.MD2076412252326 dated 17.02.2026

2. The grievance of the petitioner is that, though an application has been submitted for re-issuance of 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.187 of 2026.



W.P.(MD)No.17204 of 2026

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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 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.



W.P.(MD)No.17204 of 2026

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.

9. Accordingly, the writ petition is allowed and the first respondent is directed to process the petitioner's application for re-issuance of passport bearing No.MD2076412252326 dated 17.02.2026 and issue the passport, subject to the petitioner satisfying all other eligibility criteria prescribed under law.

12. The above exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

13. No costs.

Index :Yes / No
NCC :Yes / No
cmr

22.06.2026



W.P.(MD)No.17204 of 2026

To
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The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.



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W.P.(MD)No.17204 of 2026

HEMANT CHANDANGOUDAR, J.

cmr

W.P.(MD)No.17204 of 2026

22.06.2026