



W.P(MD)No.18206 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.06.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.18206 of 2026

N.R.Siva

... Petitioner

Vs

1.The Regional Passport Officer,
Regional Passport Office,
New Trichy Municipal Office Building,
Thillai Nagar 7th Cross,
Trichy - 620 018.

2.The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the first respondent to renew the petitioner's passport in Passport No.U0000924 in reference to the petitioner's Application No.TR1076696109324 dated 28.06.2024 on the file of the first respondent Authorities, within the stipulated time fixed by this Court.



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For Petitioner : Mr.K.Malaimaran

For Respondents : Mr.P.Sivachandran (R1)
Central Government Standing Counsel

: Mr.R.Mohamed Riyaz (R2)
Government Advocate (Criminal Side)

ORDER

This Writ Petition has been filed seeking the issuance of a writ of Mandamus directing the first respondent to renew the petitioner's passport bearing Passport No.U0000924, pursuant to the petitioner's Application No.TR1076696109324 dated 28.06.2024, pending on the file of the first respondent.

2.Heard Mr.K.Malaimaran, learned counsel appearing for the petitioner, Mr.P.Sivachandran, learned Central Government Standing Counsel, who accepts notice on behalf of the first respondent, and Mr.R.Mohamed Riyaz, learned Government Advocate (Criminal Side), who accepts notice on behalf of the second respondent.



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3.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

4.The learned counsel appearing for the petitioner submitted that the petitioner had made an application for renewal of his passport. However, the same has not been disposed of on the ground that a criminal case is pending against him. Hence, the present Writ Petition has been filed seeking the aforesaid relief.

5.The learned Central Government Standing Counsel appearing for the first respondent submitted that, since a criminal case is pending before the competent criminal Court, the petitioner has to approach the said Court, obtain its prior permission, and produce the order along with his application, as contemplated under the Passport Act and the Passport Manual. Accordingly, he prayed for appropriate orders.



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6.The learned counsel appearing for the petitioner submitted that the petitioner may be permitted to approach the competent criminal Court for appropriate orders.

7.The issue involved in the present Writ Petition is no longer res integra. The same has been decided by the Full Bench of this Court in ***W.P(MD)No.26547 of 2025, dated 09.02.2026 [Jawahar Rajan vs. The Regional Passport Officer and another]***, wherein paragraphs 20 and 21 read as follows:

“20.In fine, the question of reference is answered affirmatively that reissue / renewal of a passport has to be treated by the Passport Officer in the same manner as the issuance of a fresh passport. In other words, the rigor of Section 6(2)(f) of the Act subject to exemption under GSR 570(E) dated 25.08.1993 and the instructions in OM dated 10.10.2019 will apply to all applicants either as a fresh application or renewal / reissue. 21.Insofar as the case in hand, on the date of application for passport under TATKAAL scheme a criminal case against the writ petitioner pending trial before the Judicial Magistrate Court No.I, Madurai, in C.C.No.1730 of 2022, after taking cognizance. Therefore, he



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8.Applying the ratio laid down by the Full Bench of this Court in W.P(MD)No.26547 of 2025, dated 09.02.2026, the petitioner is directed to approach the competent criminal Court, obtain the prior permission of the Court concerned, and submit the order along with his application, as contemplated under the Passport Act and the Passport Manual. Upon such submission, the first respondent shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of six (6) weeks from the date of receipt of the order of the competent criminal Court.

9.With the above directions, this Writ Petition is disposed of. No costs.

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NCC : Yes / No
Index : Yes / No
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