



W.P(MD)No.18440 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.18440 of 2026

Sabari Ayyappan

... Petitioner(s)

vs.

1. The Regional Passport Officer,
Regional Passport Office,
New Municipal Complex,
Thillai Nagar 7th Cross,
Tiruchirappalli.

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

... Respondent(s)

PRAYER : Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the first Respondent to issue Passport to the Petitioner by considering his passport in Application No. TR1066805556826 on the file of the first Respondent by considering the representation dated 01.06.2026 given by the Petitioner.



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For Petitioner : Mr.R.Maheswaran
For R1 : Mr.S.Selvakrishnan, CGSC
For R2 : Mr.R.Mohamed Riyaz,
Government Advocate (Crl. side)

ORDER

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed the present writ petition seeking issuance of a writ of mandamus directing the first respondent to issue a passport to the petitioner by considering his passport application bearing Application No. TR1066805556826, pending on the file of the first respondent and by taking into consideration the petitioner's representation dated 01.06.2026.

3.The learned counsel appearing for the petitioner submitted that the petitioner made application dated 11.05.2026 for issuance of passport, whileso, the petitioner received the impugned communication calling upon the petitioner to provide suitable explanation regarding the pendency of the criminal case, pursuant to which, the petitioner gave his explanation on 01.06.2026, however,



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there is no response. The learned counsel further submitted that the issue involved in the present case is no longer *res integra* and that similar issue has already been decided by the Hon'ble First Bench of this Court in W.A.No.902 of 2023 dated 02.06.2023.

4.It is seen from the record that, as against the petitioner, a criminal case in Cr. No. 69 of 2024 for offences under Sections 294(b), 324, 506(ii) of the IPC is pending and the case is under investigation. Hence, the respondent issued the impugned communication and further submitted that it is only a communication calling for an explanation from the petitioner.

5.The issue involved in the present case is no longer *res integra*. Similar issue has already been decided by the Hon'ble First Bench of this Court in W.A.No.902 of 2023 [*The Regional Passport Officer, Chennai Vs. Samsudeen Mohamed Salih and another*] dated 02.06.2023, the relevant portion of which is extracted hereunder:

"5. A Division Bench of the Bombay High Court, in the case of *Abbas Hatimbhai Kagalwala v. State of Maharashtra and another*, 2022 SCC OnLine Bom 1992, to



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which one of us (S.V.Gangapurwala, CJ.) was a party, has followed the judgment of the Apex Court in the case of Vangala Kasturi Rangacharyulu, supra and directed the respondent therein to process the application of the petitioner for renewal of the passport.

6. The contention of learned counsel for the appellant that the first respondent cannot travel abroad without the permission of the Court where the criminal case is pending, would not be an impediment for the passport authority to consider the application for renewal of the passport. No doubt, if the first respondent has to travel abroad and the criminal case is pending, then unless the Magistrate or the Sessions Court where the criminal case is pending permits the first respondent to travel abroad, he cannot travel abroad.

7. In the light of the above, we pass the following order:

(i) The writ appellant shall process the application of the first respondent for renewal of passport without insisting



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for permission of the Court, where a criminal case is pending against the first respondent. If the first respondent is travelling abroad, then the first respondent would be required to seek permission from the Court where the criminal case is pending.

(ii) Decision shall be taken as above, within one month."

6.Following the decision cited supra, this Court directs the respondent to process the application of the petitioner without insisting the permission of the Court, where the criminal case is pending against the petitioner and take appropriate decision, within a period of four weeks from the date of receipt of a copy of this order. If the petitioner wants to travel abroad, then the petitioner has to get necessary permission from the Court where the criminal case is pending against the petitioner.



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7. With the above observations and directions, the writ petition stands allowed. No costs.

01.07.2026

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

To

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2. The Inspector of Police,
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M.DHANDAPANI,J.

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**ORDER MADE IN
W.P(MD)No.18440 of 2026**

DATED : 01.07.2026