



W.P.(MD)No.5472 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.03.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.5472 of 2026

Balamurugan

... Petitioner

VS.

1.The Regional Passport Officer,
The Regional Passport Office,
New Municipal Complex
Thillainagar 7th Cross,
Tiruchirappalli 620 018.

2.The State of Tamilnadu,
Represented by the Inspector of Police,
Avudaiyarkoil Police Station,
Pudukkottai District.

3.The State of Tamilnadu,
Represented by the Inspector of Police
Pallathur Police Station
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, direct the 1st respondent to renew the passport to the petitioner based on his passport application number TR1075701051025 dated 29.09.2025 within the time stipulated by this Court.



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For Petitioner	:Mr.R.Prasanna
For R1	:Mr.M.Kannan Central Government Standing Counsel
For R2 and R3	:Mr.M.Vaikkam Karuninithi Government Advocate (Crl.side)

ORDER

The petitioner is before this Court seeking issuance of a Writ of Mandamus directing the first respondent to renew his passport.

2. The grievance of the petitioner is that though an application was submitted for renewal of the passport, the same has not been processed by the first respondent. According to the petitioner, the application for renewal has been kept pending on the ground that two criminal cases has been registered against the petitioner.

3.Mr. M. Vaikkam Karunanithi, learned Government Advocate (Crl.side), on instructions, submitted that in one criminal case, the petitioner was convicted and imposed with a fine and in relation to the second criminal case, charge sheet has been filed, however, cognizance has not been taken.



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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 Passport Act, 1967. Under Section 6 of the said Act, the Passport Authority is empowered to refuse issuance or renewal of a passport only in the circumstances specifically enumerated therein. One such circumstance is when 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 for withholding the petitioner's application is that criminal cases have been registered against the petitioner. However, no cases are pending against the Petitioner in any criminal court so as to not fall within the grounds contemplated under Section 6 of the Passport Act for refusing issuance or renewal of a passport. The statutory bar would arise only if criminal proceedings are pending before a competent criminal court.



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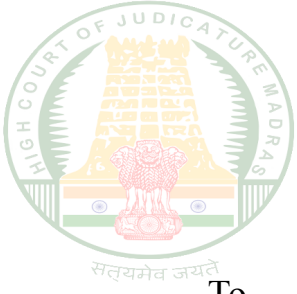
7. Therefore, the action of the first respondent in withholding the petitioner's application for renewal of the passport is contrary to the provisions of Section 6 of the Passport Act.

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

9. Accordingly, the Writ Petition is allowed and the first respondent is directed to process the petitioner's application for renewal of passport bearing application No. TR1075701051025 dated 29.09.2025 and renew the same, subject to the petitioner satisfying all other eligibility criteria prescribed under law. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No costs.

Index :Yes / No
NCC :Yes / No
cmr

11.03.2026



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1.The Inspector of Police,
The State of Tamilnadu,
Avudaiyarkoil Police Station
Pudukkottai District.

2.The Inspector of Police,
The State of Tamilnadu,
Pallathur Police Station,
Sivagangai District.



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HEMANT CHANDANGOUDAR, J.

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