



W.P.(MD)No.6865 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.03.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.6865 of 2026

and

W.M.P.(MD)No.5693 of 2026

S.Abin Shylas

... Petitioner

vs.

1.The Government of India,  
Ministry of External Affairs,  
Represented by the Regional Passport Officer,  
Regional Passport Office, Madurai,  
Bharathi Ula Veethi, Race Course Road,  
Madurai – 625 002, Tamil Nadu.

2.The Inspector of Police,  
District Crime Branch,  
Nagercoil, Kanyakumari 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 impugned order passed by the 1<sup>st</sup> respondent under reference File No.MD4076374245626 dated 20.02.2026 and set aside the same as erroneous and illegal and consequently direct the 1<sup>st</sup> respondent to consider the petitioner's passport application and to issue passport to the petitioner within a time frame as may be fixed by this Court.



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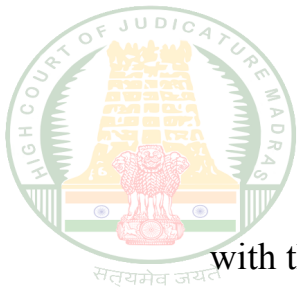
|                |                                |
|----------------|--------------------------------|
| For Petitioner | :Mr.J.Jeevin                   |
| For R1         | :Mr.K.Manikandan               |
| For R2         | :Mr.M.Vaikkam Karunanithi      |
|                | Government Advocate (Crl.side) |
|                | *****                          |

## **ORDER**

The petitioner challenges the impugned order passed by the first respondent and seeks a direction to the first respondent to issue a passport to him.

2. The petitioner's application for passport has not been processed on the ground that criminal cases have been registered against him, which are under investigation, and that one criminal case is pending in C.C. No.634 of 2023 on the file of the Judicial Magistrate-I, Nagercoil.

3. The Hon'ble Full Bench of this Court, in W.P.(MD) No.26547 of 2025, while considering whether re-issue/renewal of a passport should be treated in the same manner as issuance of a fresh passport, held that re-issue/renewal must be treated in the same manner as issuance of a fresh passport. However, liberty was granted to the petitioner therein to obtain prior permission from the concerned Court and submit the same along



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with the application, as contemplated under the Passport Act, 1967.

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4. In view of the above, this Writ Petition is disposed of, granting liberty to the petitioner to approach the jurisdictional Court in which the criminal case is pending and file an appropriate application seeking permission for issuance/renewal of the passport. If such an application is filed, the concerned criminal court shall consider the same and pass appropriate orders expeditiously. Thereafter, if permission is granted, the petitioner is at liberty to approach the first respondent for issuance of the passport.

5. It is made clear that the mere registration of an FIR shall not be a bar to the issuance of a passport, as it is not one of the grounds for refusal under Section 6 of the Passports Act, 1967, which governs the issuance or renewal of passports. No costs. Consequently, the connected miscellaneous petition is closed.

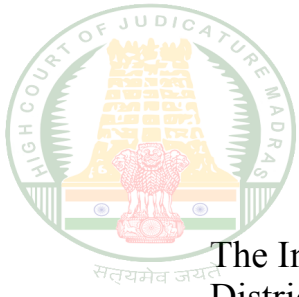
Index :Yes / No  
NCC :Yes / No

**13.03.2026**

cmr

To

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The Inspector of Police,  
District Crime Branch, Nagercoil, Kanyakumari District.

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**HEMANT CHANDANGOUDAR, J.**

cmr

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