

W.P.(MD)No.10608 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.10608 of 2026

Surya

... Petitioner

vs.

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

2.The State of Tamil Nadu,
Represented by the Inspector of Police,
Neelankarai Police Station,
Chennai 600 041.

... 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 permit the petitioner to retain and freely use his valid Passport in No.AP228549 for his urgent employment obligations based on his representation dated 30.03.2026.

For Petitioner	:Mr.P.Sonu
For R1	:Mr.S.U.Sambathkumar Central Government Standing Counsel
For R2	:Mr.M.Vaikkam Karunanithi Government Advocate (Crl.side)



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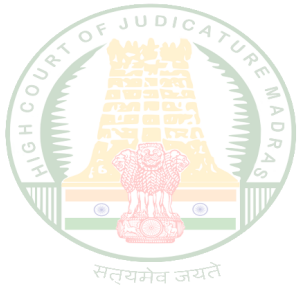
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ORDER

The petitioner has approached this Court seeking issuance of a Writ of Mandamus directing the first respondent to permit him to retain and freely use his valid Passport bearing No. AP228549 by considering his representation dated 30.03.2026.

2. Heard Mr. P. Sonu, learned counsel for the petitioner; Mr. S.U. Sambathkumar, learned Central Government Standing Counsel for the first respondent; and Mr. M. Vaikkam Karunanithi, learned Government Advocate (Crl. Side) for the second respondent.

3. The petitioner was re-issued a passport on 17.03.2026. Thereafter, the first respondent issued a notice dated 25.03.2026 stating that adverse remarks had been received in the police verification report, citing that the petitioner was involved in a criminal case in Crime No. 170 of 2023 under Section 304A of IPC, and the petitioner was called upon to provide a suitable explanation.

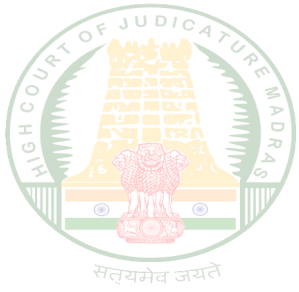


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4. Refusal to issue or renew a passport is governed by the provisions of the Passports Act, 1967. Under Section 6 of the Act, the Passport Authority is empowered to refuse issuance or renewal of a passport only in the circumstances specifically enumerated 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.

5. In the present case, the only reason cited by the first respondent 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.

6. Therefore, the action of the first respondent in issuing the notice calling upon the petitioner to provide a suitable explanation is not legally sustainable.



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7. Accordingly, the writ petition is allowed and the show cause notice dated 25.03.2026 issued by the first respondent is set aside.

8. There shall be no order as to costs.

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

22.04.2026

cmr

To

The Inspector of Police,
Neelankarai Police Station,
Chennai 600 041.



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HEMANT CHANDANGOUDAR, J.

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