

W.P.(MD)No.10434 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.10434 of 2026

Sugapriya

... Petitioner

vs.

1. The Regional Passport Officer,  
Regional Passport Office,  
Bharathi Ula Veethi,  
Race Course Road,  
Madurai - 2.

2. The Commissioner of Police,  
O/o. the Commissioner of Police,  
1/165, Alagar Kovil Road,  
Madurai District.

3. State Rep Through its  
The Inspector of Police,  
Thallakulam Police Station,  
Madurai.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned letter issued by the 1<sup>st</sup> respondent vide proceeding Ref No SCN/1054257710/26 dated 20.03.2026 and quash the same and consequently, to direct the 1<sup>st</sup> respondent to issue a

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fresh passport based on renewal application submitted by the petitioner vide Application No MD1066494917326 dated 04.03.2026 within a stipulated period that may be fixed by the this Court.

For Petitioner :Mr.R.Vignesh  
For R1 :Mr.I.Sekar  
Central Government Standing Counsel  
For R2 and R3 :Mr.M.Vaikkam Karunanithi  
Government Advocate (crl.side)  
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### **ORDER**

The petitioner is before this Court challenging the show cause notice dated 20.03.2026 issued by the first respondent.

2. By the said notice, the petitioner has been called upon to appear in person and submit relevant documents before the Enquiry Officer at the Passport Office in connection with an adverse report received from the respondent Police.

3. Mr. M. Vaikkam Karunanithi, learned Government Advocate (Criminal Side) appearing for the respondents 2 and 3, on instructions, submitted that a criminal case has been registered against the petitioner in Crime Nos.700 of 2024 and 344 of 2025.

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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 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.

6. In the present case, the only reason cited by the respondents 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.

7. Therefore, the action of the first respondent in withholding the petitioner's application solely on the basis of the registration of an FIR is



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not in consonance with the provisions of the Passports Act, 1967.

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

9. Accordingly, the writ petition is allowed and the first respondent is directed to process the petitioner's application for issuance of a fresh passport bearing File No. MD1066494917326 dated 04.03.2026 and issue the passport, subject to the petitioner satisfying all other eligibility criteria prescribed under law.

12. The above exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

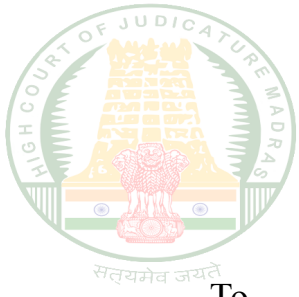
13. There shall be no order as to costs.

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

**15.04.2026**

cmr

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To  
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O/o. the Commissioner of Police,  
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2. The Inspector of Police,  
Thallakulam Police Station,  
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**HEMANT CHANDANGOUDAR, J.**

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