



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3327]

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

**PRESENT
THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY**

WRIT PETITION NO.3213 OF 2026

Between:

Udaragondi Rama Rao

...PETITIONER

AND

The Union of India and others

...RESPONDENTS

Counsel for the Petitioner:

1.N ASHWANI KUMAR

Counsel for the Respondents:

1.NAMRATHA CHOUDARY P CENTRAL GOVT COUNSEL
2.GP FOR HOME

The Court made the following ORDER:

The present Writ Petition has been filed questioning the action of the respondents, more particularly respondent No.2, in not renewing the passport of the petitioner citing adverse police verification report vide Letter Ref.No.SCN/317278937/24, dated 06.03.2024.

2. Case of the petitioner is that he was issued a passport bearing No.L4714966 by the Regional Passport Officer, Hyderabad on 13.09.2013 for a period of 10 years. The said passport expired on 12.09.2023. Therefore, he made an application for renewal of passport vide File No.VJ2075808417923, dated 22.09.2023. Subsequently, 2nd respondent issued a notice vide Letter Ref.No. SCN/317278937/24, dated 06.03.2024, stating that an adverse police verification report was received from the Police Department. In response to the said notice, petitioner submitted his detailed explanation stating that only one case was registered against him and even in that criminal case, the State Government issued GO Rt.No.381, Home (SC.A) Department, dated 10.05.2017, recommending for initiating departmental action instead of prosecuting the criminal case, and the learned Special Judge for SPE and ACB Cases, Vijayawada, after taking into consideration the said GO issued by the State Government, closed the FIR in Crime No.12/RCT-ACB-VJA-2014 on the file of ACB, Vijayawada Range, vide order dated 21.08.2018. Though the criminal case pending against the petitioner herein was closed, 2nd respondent, without considering the said fact and without considering the explanation submitted by the petitioner, has kept the application of the petitioner for renewal of his passport pending. Hence, he filed the present Writ Petition. Petitioner, in proof of his contentions, filed relevant documents vide Annexure - 1 to 5.

3. Heard. Perused the record.

4. The issue and renewal of passports is regulated by the Passports Act, 1967. Section 6(2), extracted below, is relevant for this purpose.

(2) subject to the other provisions of this Act, the passport authority shall refuse to issue a passport or travel document for visiting any foreign country under clause (c) of sub-section (2) of Section 5 on any one or more of the following grounds, and on no other ground, namely:-

(a) that the applicant is not a citizen of India.,

(b) that the applicant may, or is likely to, engage outside India in activities prejudicial to the sovereignty and integrity of India.,

(c) that the departure of the applicant from India may, or is likely to, be detrimental to the security of India.,

(d) that the presence of the applicant outside India may, or is likely to, prejudice the friendly relations of India with any foreign country.,

(e) that the applicant has, at any time during the period of five years immediately preceding the date of his application, been convicted by a Court in India for any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than two years.,

(f) that proceedings in respect of an offence alleged to have been committed by the applicant are pending before a criminal court of India.,

(g) that a warrant or summons for the appearance, or a warrant for the arrest, of the applicant has been issued by a Court under any law for the time being in force or that an order prohibiting the departure from India of the applicant has been made by any such court.,

(h) that the applicant has been repatriated and has not reimbursed the expenditure incurred in connection with such repatriation.,

(i) that in the opinion of the Central Government the issue of a passport or travel

document to the applicant will not be in the public interest.

The grounds on which, the renewal of the passport of the petitioner is being refused could at best fall within the ambit of Section 6(2)(f) of the Passports Act, 1967. This provision has been considered in various cases and the ambit of this provision is fairly settled.

5. The Hon'ble Supreme Court of India in its Judgment dated 27.09.2021 in Crl.A.No.1342 of 2017 in the case of Vangala Kasturi Rangacharyulu vs. Central Bureau of Investigation, after considering Section 6(2)(f) of the Passport Act, 1967, held that the passport authority cannot refuse renewal of the passport on the ground of pendency of a criminal case and directed the passport authority to renew the passport.

6. A learned Single Judge of the High Court at Madras in the order dated 04.02.2021 in W.P.No.20058 of 2020 held that mere pendency of a First Information Report cannot be the legal basis for denial of issuance of a regular passport to the petitioner and that it is only after cognizance is taken by an appropriate Court that it can be held that criminal proceedings have commenced and issuance or renewal of the passport would be depended on no objection being given by the concerned Court.

7. The Central Government has also issued G.S.R.No.570(E), dated 25.08.1993 stipulating that a no objection order would be

required from a Court only if it falls within the ambit of Section 6(2)(f).

8. In view of the fact that operation of Section 6(2)(f) of the Act, 1967, would arise only when there is a pending proceeding before the Criminal Court after cognizance is taken, it would have to be held that as of now there is no pending criminal proceeding before the Court.

9. In view of the aforesaid facts and circumstances of the case, this Writ Petition is disposed of, with a direction to 2nd respondent to consider the application of the petitioner for renewal of his Passport in accordance with law. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

K. SREENIVASA REDDY, J.

Date:11.02.2026
Nsr

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Writ Petition No.3213 of 2026

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Nsr