

APHC010193022026



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

[3207]

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

WRIT PETITION NO: 10605/2026

Between:

1. ALUGUBELLI NAGABUSHANA RAO, S/O KURMINAIDU
ALUGUBELLI, AGED 45 YRS PLOT NO.29 PRASANTHI NAGAR
COLONY NEAR ARTS COLLEGE, SRIKAKULAM

...PETITIONER

AND

1. UNION OF INDIA, MINISTRY OF EXTERNAL AFFAIRS REP., BY ITS
SECRETARY, SASTRY BHAVAN, NEW DELHI. 110001
2. THE REGIONAL PASS PORT OFFICER, REGIONAL PASS PORT
OFFICE, NEAR P.F. OFFICE BESIDE RYTHU BAZAR, MARRIPALEM
VUDA LAYOUT NAD POST VISAKHAPATNAM. 530018
3. THE COMMISSIONER OF POLICE, VISAKHAPATNAM CITY. , 530020
4. THE STATION HOUSE OFFICER, IV TOWN POLICE STATION,
VISAKHAPATNAM. 530013

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to Pleased to Issue a Writ or Order or Direction more particularly one in the nature of a Writ of Mandamus declaring the action of the respondents particularly the 2nd respondent Not Renewing the Petitioners Pass Port bearing No.M1363107 even the Petitioners made an application for Renewal vide Application No.VS8075076840725 only on the sole ground the Petitioner is having a petty case in C.C.NO.1213/2018 Under Section 3 of Gaming Act

pending before the II Additional Chief Metropolitan Magistrate at Visakhapatnam is nothing but denial of Petitioners Right to Travel abroad on his own choice all are Illegal, Unlawful, Violation of Principles of Natural justice, Violation of Article 14,19,21 of the Constitution of India, Violation of the Apex Court Rulings Consequently to direct the 2nd Respondent Pass Port Authority to Renewal of Petitioners Pass Port No.M 1363107 without insisting the No Objection Certificate (NOC) from the petitioner by any manner or what so ever and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May be Pleased to direct the 2nd Respondent Pass Port Authority to Renewal of Petitioners Pass Port No.M 1363107 without insisting the No Objection Certificate (NOC) from the petitioner pending disposal of the above writ petition and to pass

Counsel for the Petitioner:

1.R SIVA SAI SWARUP

Counsel for the Respondent(S):

1.

The Court made the following:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND**WRIT PETITION No.10605 of 2026****ORDER: -**

It is brought to the notice of this Court by both the learned counsel that the subject matter of this writ petition is squarely covered by the common order passed in W.P.No.5769 of 2026 and batch, dated 07.04.2026, which is as follows:

“9. Accordingly, these writ petitions are allowed with the following direction:

The Passport Authorities to consider and pass appropriate orders on the applications submitted by the petitioners for issuance of passports or re-issuance of passports or renewal of passports, for a period of ten (10) years, under Section 10 of the Passports Act, 1967 and under Rule 12 of Passport Rules, 1980 and also the Gazette Notification issued by the Central Government vide GSR No.570(E), dated 25.08.1993, without reference to the criminal proceedings pending against the petitioners before the concerned Courts, subject to the following conditions:

- (i) The petitioners shall submit an undertaking, along with an affidavit affirming that he/she will not leave the country during the pendency of the criminal proceedings, pending against them without permission of the courts having jurisdiction and that he/she will co-operate with concerned trial court in concluding the proceedings.
- (ii) On filing such an undertaking as well as affidavit, the concerned trial court shall issue a certified copy of the same within two (02) weeks.

(iii) The petitioners shall submit the certified copy of the aforesaid undertaking before the respondent-Passport Officer for issuance of passport or re-issuance or renewal of his/her passport.

(iv) The respondent-Passport Officer shall consider the said application in the light of the observations made by this Court herein as well as the contents of the undertaking given by the petitioners for issuance of passport or re-issuance or renewal of his/her passport in accordance with law, within two (02) weeks from the date of said application.

(v) On renewal of the passport, the petitioners shall deposit the original renewed Passport before the concerned trial court.

(vi) The petitioners shall file an application before the concerned trial Court seeking permission to travel abroad.

(vii) The concerned trial Court shall consider the same, in accordance with law.”

2. Hence, following the said orders, this writ petition is allowed on the same terms.

3. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE BATTU DEVANAND

Date : 22.04.2026

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THE HONOURABLE SRI JUSTICE BATTU DEVANAND

W.P.No.10605 of 2026

Date: 22.04.2026