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[3330]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY ,THE SIXTH DAY OF MAY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 12787 OF 2026

Between:

Chekuri Sivaji Raju, S/o.Chekuri Appalaraju, Aged about 54 years, R/o 50-102-15/2, Park Lane Residency, FT-101, Seethammadara, Visakhapatnam-530013.

Petitioner

AND

1. Union of India, Rep by Joint Secretary (PSP) and CPO, PSP Division, Ministry of External Affairs, Government of India, Patiala House, Tilak Marg, New Delhi-110001.
2. Regional Passport Officer, O/o Regional Passport office, Visakhapatnam, Near P.F.Office, Besides Rythu Bazar, Marripalem, VUDA Layout, NAD Post, Visakhapatnam-530009, Andhra Pradesh State.

Respondents

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 issue a writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in not renewing the petitioners passport bearing No.C2754391 expired on 04.09.2025 pursuant to the application bearing No. VS05C5898787725 dated 23.04.2025 on the ground of pending Criminal cases i.e. 1).Cr.No.36 of 2014 of Parawada P.S., Anakapalli District, 2).Cr.No.11 of 2020 of I Town P.S. Visakhapatnam, 3). Cr.No.273 of 2013 of II Town P.S. Visakhapatnam now numbered as C.C.No.3319 of 2020 on the file of the Honble II

A.C.M.M.Visakhapatnam and 4).Cr.No.853 of 2020 on the file of Gajuwaka P.S. as illegal, arbitrary, unjust and violative of Art 14 and 21 of Constitution of India and contrary to the provisions of Passport Act, 1967 and consequently direct the 2nd respondent to renew petitioner passport bearing No. C2754391

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 to direct the 2nd respondent to accept the application of the petitioner bearing No's VS05C5898787725 dated 23.04.2025 without reference to criminal cases i.e. 1).Cr.No.36 of 2014 of Parawada P.S.Anakapalli District, 2).Cr.No.11 of 2020 of I Town P.S. Vizianagaram, 3). Cr.No.273 of 2013 of II Town P.S. Visakhapatnam now numbered as C.C.No.3319 of 2020 on the file of the Hon'ble II A.C.M.M.Visakhapatnam and 4).Cr.No.853 of 2020 on the file of Gajuwaka P.S. pending against petitioner in the interest of justice

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri G L NAGESWAR RAO Advocate for the Petitioner(s), Central Government for the Respondent Nos. 1 & 2 and the Court made the following.

ORDER

Heard learned counsel for the petitioner Sri G.L.Nageswara Rao and Sri Akhil Krishnan, learned counsel for the respondent Nos. 1 and 2.

Learned counsel for the petitioner would submit that the petitioner has made an application for renewing of passport and the same was kept pending, hence, the present writ petition is filed to direct the respondents to process the renew of passport and relied on the judgment of the Hon'ble Apex Court in Mahesh Kumar Agarwal v. Union of India and another, reported in 2025 SCC OnLine SC 2887, and also Division Bench judgment of this Court in W.A. No.383 of 2024, dated 29.10.2024, wherein a Division Bench of this Court, held that since, when

no cognizance taken, there would be no question of 'proceedings pending before a criminal Court', which would attract the provisions of Section 6(2)(f) of the Passports Act, 1967, and directed the respondents therein to issue passport.

Learned counsel for the petitioner admitted that a charge sheet has been filed in one case with reference to crime No.273 of 2020 and the same was registered as C.C. No.3319 of 2020, on the file of the II Additional Chief Metropolitan Magistrate, Visakhapatnam, and further stated there are three crimes pending and charge sheet has not been filed.

Therefore, the respondents are directed to reconsider whether the petitioner is within the parameters pursuant to the judgments referred supra, as expeditiously as possible within a period of two weeks from the date of receipt of copy of the order.

List the matter after Summer Vacation, 2026.

//TRUE COPY//

SD/-K.V.RAGHAVULU
ASSISTANT REGISTRAR



SECTION OFFICER

To,

1. The Joint Secretary (PSP) and CPO, Union of India, PSP Division, Ministry of External Affairs, Government of India, Patiala House, Tilak Marg, New Delhi-110001.
2. Regional Passport Officer, O/o Regional Passport office, Visakhapatnam, Near P.F.Office, Besides Rythu Bazar, Marripalem, VUDA Layout, NAD Post, Visakhapatnam-530009, Andhra Pradesh State. (1-2 by RPAD)
3. One CC to SRI. G L NAGESWAR RAO Advocate [OPUC]
4. One spare copy

HIGH COURT

TRR,J

DATED:06/05/2026

LIST THE MATTER AFTER SUMMER VACATION-2026

ORDER

WP.No.12787 of 2026

DIRECTION

