

APHC010244842026



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

[3332]

TUESDAY, THE 28th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 12787/2026

Between:

1.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.

...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 topleased 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. 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 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 and pass s

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 and pass

Counsel for the Petitioner:

1.G L NAGESWAR RAO

Counsel for the Respondent(S):

1.AKHIL KRISHNAN CENTRAL GOVT COUNSEL

The Court made the following:

ORDER:

The grievance of the petitioner, in short, is that the passport authorities are not issuing his passport on the ground of pendency of the following criminal cases: 1) Cr.No.36 of 2014 of Parawada Police Station Anakapalli District, 2) Cr.No.11 of 2020 of I Town Police Station, Vizianagaram, 3) Cr.No.273 of 2013 of II Town Police Station, Visakhapatnam now numbered as C.C.No.3319 of 2020 on the file of Gajuwaka Police Station.

2. Heard Sri G.L.Nageswar Rao, learned counsel for the petitioner and Sri Akhil Krishnan, learned Standing Counsel for Central Government appearing for respondents.

3. Admittedly, as stated by the learned counsel for the petitioner, C.C.No.270 of 2025 on the file of the learned III Additional Chief Judicial Magistrate, Gajuwaka, is pending against the petitioner. Further, a crime also been registered against the petitioner vide Crime No.11 of 2020 on the file of I Town Police Station, Vizianagaram.

4. The law is well settled, where criminal proceedings are pending before the competent Court, the individual has to approach the concerned Court and obtain permission/No Objection Certificate (NOC) for issuance of a passport and also

permission to travel abroad. Insofar as the crime is concerned, mere pendency of the crime cannot be a ground for refusing the issuance of passport.

5. Taking the facts and circumstances of the case into consideration, this Court is inclined to dispose of the writ petition by giving liberty to the petitioner to approach the Court where C.C.No.270 of 2025 is pending on the file of the learned III Additional Chief Judicial Magistrate, Gajuwaka, for obtaining No Objection Certificate for issuance of his Passport.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, miscellaneous applications, pending if any, shall stand closed.

Date: 28th July, 2026
JLV

JUSTICE RAVI CHEEMALAPATI

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HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION No.12787 of 2026

Date: 28th July, 2026
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