

Date of reserved for orders :

Date of pronouncement : 15.07.2026

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APHC010318662026



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

[3332]

WEDNESDAY, THE 15th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 18007/2026

Between:

1. MOHAN KAYALA, S/O VENKATESWARA RAO KAYALA, AGED ABOUT 55 YEARS, OCC AGRICULTURE, R/O D.NO. 1-34/A, ADDADA VILLAGE, PAMARRU MANDAL, KRISHNA DISTRICT, ANDHRA PRADESH - 521390.

...PETITIONER

AND

1. UNION OF INDIA, REPRESENTED BY ITS SECRETARY, MINISTRY OF EXTERNAL AFFAIRS, NEW DELHI.
2. THE REGIONAL PASSPORT OFFICER, REGIONAL PASSPORT OFFICE, VIJAYAWADA.
3. THE STATION HOUSE OFFICER, VUYYURU TOWN POLICE STATION, KRISHNA DISTRICT.

...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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2ND respondent in not considering and processing the petitioner's passport application bearing File No. VJ2066809607426 solely on the basis of the pendency of Crime No, 148 of 2015 of Vuyyuru Town Police station, despite

the petitioner having fully discharged his loan liability on 15.11.2017 and having obtained a No Due Certificate from Union Bank of India, as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India, and consequently direct the respondents to process and issue the passport to the petitioner in accordance with law, and pass

Counsel for the Petitioner:

1. BILAAL AHMED SYED

Counsel for the Respondent(S):

1. GP FOR HOME

2. O UDAYA KUMAR (CENTRAL GOVT COUNSEL)

The Court made the following order:

The short grievance of the petitioner is that the 2nd respondent is not considering and processing his passport application on the ground of pendency of Crime No.148/2015 at Vuyyuru Town Police Station

2. Heard Sri Bilal Ahmed, learned counsel for the petitioner and learned Assistant Government Pleader for Home.

3. Learned Assistant Government Pleader for Home on written instructions dated 24.06.2026 submitted that, upon enquiry it was found that a calendar case vide C.C.No.72/2026 was registered against the petitioner on the file of X Additional Junior First Class Magistrate, Vuyyuru.

4. Learned counsel for the petitioner sought liberty to file an appropriate application before the Court of the X Additional Junior First Class Magistrate, Vuyyuru.

5. Perusal of the material available on record shows that Calendar Case No. 72/2026 is pending against the petitioner on the file of the Court of the X Additional Junior First Class Magistrate, Vuyyuru.

6. The Hon'ble Supreme Court, as well as various High Courts, have consistently held that criminal proceedings can be said to have commenced only after the competent Court has taken cognizance of the offence and the issuance of renewal of a passport would thereafter depend upon the concerned Court granting No Objection Certificate or appropriate permission.

7. Taking the facts and circumstances of the case into consideration and having regard to the fact that C.C.No.72 of 2026 is pending against the petitioner and that the petitioner intends to file an application before the concerned Court, this Court is inclined to dispose of the Writ Petition at the admission stage itself.

Accordingly, the Writ Petition is ***disposed of*** granting liberty to the petitioner to make an appropriate application before the learned X Additional Junior First Class Magistrate, Vuyyuru, for issuance of 'No Objection Certificate' for issuance of his Passport. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

15.07.2026
BRS