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APHC010547942025



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

[3332]

TUESDAY, THE 7th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 28605/2025

Between:

1.KORNI NAGA RAJU, S/OYEDUKONDALU, AGED 28 YRS, R/O
D.NO.2-87 V, BHUSHANAGULLA PEDA PARUPUDI
MANDAL,KRISHNA DISTRICT-521263 KRISHNA DISTRICT.

...PETITIONER

AND

1.UNION OF INDIA, MINISTRY OF FINANCE , REPRESENTED BY
ITS SECRETARY, SASTRY BHAVAN, NEW DELHI.

2.THE REGIONAL PASS PORT OFFICER, PASS PORT OFFICE,
GUDIVADA , HEAD POST OFFICE, GUDIVADA OPP GOVT
HOSPITAL, POST OFFICE ROAD, GUDIVADA-521301 .

3.THE COMMISSIONER OF POLICE, VISAKHAPATNAM.

4.THE STATION HOUSE OFFICER, BHEEMUNIPATNAM POLICE
STATION BHEEMUNIPATNAM, VISAKHAPATNAM.

...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 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 is not entertained the Renewal of Petitioner's Pass Port No.M2267855 it is expired on 16-09-2024 inspite of Renewal Application Referene No.24- 1010747573 only on the sole ground the Petitioner is having petty case in Cr. No.66/2022 of Bheemunipatnam P.S., Visakhapatnam it is registered as C.C.No.615/2023 on the file of XV Additional Metropolitan Magistrate, Bheemunipatnam under Section 3 and 4 of A. P. Gaming Act the same is pending for consideration , it is nothing but denial of Petitoiner's 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 Pass Port Act, Violation of this Hon'ble Court Rulings Consequently to direct the 2nd Respondent to Renewal of Petitioner's Pass Port No.M2267855 without insisting the No Objection Certificate (NOC) by any manner or what so ever except under the due process of Law and to pass

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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 Renewal of Petitioner's Pass Port NO.M2267855 without insisting the No Objection Certificate (NOC) by any manner or what so ever except under the due process of Law pending disposal of the main Writ Petition in the interest of the Justice, 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.GP FOR HOME

2.T NIRANJAN Deputy Solicitor General of India

The Court made the following:

ORDER:

The grievance of the petitioner, in short, is that the passport authorities are not renewing his passport, on the ground of registration of criminal case against him.

2. Heard Sri R.Siva Sai Swarup, learned counsel for the petitioner, Sri T.Niranjan, learned Deputy Solicitor General and learned Government Pleader for Home for the respondents.

3. After arguing the matter for some time, learned counsel for the petitioner sought liberty to file an appropriate application before the Court of the XV Additional Metropolitan Magistrate, Bheemunipatnam.

4. Perusal of the material available on record shows that Calendar Case No.615 of 2023 is pending against the petitioner on the file of the Court of XV Additional Metropolitan Magistrate, Bheemunipatnam.

5. 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.

6. Taking the facts and circumstances of the case into consideration and having regard to the fact that C.C.No.615 of 2023 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 stage of admission itself.

7. Accordingly, the Writ Petition is ***disposed of*** granting liberty to the petitioner to make an appropriate application before the learned XV Additional Metropolitan Magistrate, Bheemunipatnam, for issuance of 'No Objection Certificate' for renewal of her Passport. There shall be no order as to costs.

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

JUSTICE RAVI CHEEMALAPATI

Date: 07th July, 2026

RKS

Whether the order is:

Speaking		Reasoned	
Reportable		Non-reportable	