

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

THURSDAY, THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

WRIT PETITION NO: 4089 OF 2025

Between:

1. Keesara Vikram Reddy, S/o.Chalama Reddy, Aged about 71 years, Occ. Retd. Medical Practitioner, R/o.H.No.1-7-1028/1, Santhosh Nagar, Hunter Road Hanumakonda, Hanumakonda District.
2. Keesara Jyothi, D/o.Raja Reddy Mandadi, W/o.Kesara Vikram Reddy, Aged about 68 years, Occ. Housewife, R/o. H.No.1-7-1028/1, Santhosh Nagar, Hunter Road Hanumakonda, Hanumakonda District.

...PETITIONERS

AND

1. The Union of India, Ministry of External Affairs, South Block, Secretariat, Raisina Hills, New Delhi Represented by Secretary
2. The Regional Passport Officer, Regional Passport office D.No.8-2-215 to 219, Knonmaraguda, Secunderabad-500 003.

...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, particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent herein in not renewing the passport bearing No.M6348220 belong to the 1st petitioner herein pursuant to the passport application No. HY8077155485124 dated 27/11/2024 and passport bearing No.M6348161 belong to the 2nd petitioner pursuant to the passport application No.HY8077155530524 dated 27/11/2024 on the ground that both the petitioners involved in crime No.143/2010 under section 376, 302 IPC and section 3(1)(x) SC/ST POAct vide PRC No.527 of 2010, correct PRC No.2 of 2017, pending on the file of III Addl. Judicial First Class Magistrate, Hanumakonda, as illegal, arbitrary and violation of Article 21 of the Constitution of India and contrary

to Passport Act, 1967 and consequently direct the respondents to consider passport application No.HY8077155485124 dated 27/11/2024 belong to the 1st petitioner and passport application No.HY8077155530524 dated 27/11/2024 belong to the 2nd petitioner, for renewal of above pass ports of the petitioners without reference to the pendency of criminal case.

IA NO: 1 OF 2025

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 consider the renewal of passport bearing No.M6348220 belong to the 1st petitioner herein pursuant to the passport application No.HY8077155485124 dated 27/11/2024 and passport bearing No.M6348161 belong to the 2nd petitioner pursuant to the passport application No.HY8077155530524 dated 27/11/2024, without reference to the criminal case in Crime No. 143 of 2010 vide PRC No.527 of 2010, correct PRC No.2 of 2017, pending on the file of III Addl. Judicial First Class Magistrate, Hanumakonda, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI A. PRABHAKAR RAO

Counsel for the Respondents: SRI A.S. VASUDEVAN

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

Writ Petition No.4089 of 2025

Order:

Petitioner filed this writ petition for the following relief:

“... to issue a writ, order or direction, particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent herein in not renewing the passport bearing No M6348220 belong to the 1st petitioner herein pursuant to the passport application No.HY8077155485124 dated 27.11.2024 and passport application No.M6348161 belong to the 2nd petitioner pursuant to the passport application No.HY8077155530524 dated 27.11.2024 on the ground that both the petitioners involved in crime No.143/2010 under sections.376, 302 IPC and section 3(1)(x) SC/ST PO Act *vide* PRC.No.527 of 2010, correct PRC.No.2 of 2017, pending on the file of III Addl. Judicial First Class Magistrate, Hanumakonda, as illegal, arbitrary and violation of Article 21 of the Constitution of India and contrary to Passport

Act, 1967 and consequently direct the respondents to consider passport application No.HY8077155485124 dated 27.11.2024 belong to the 1st petitioner and passport application No HY8077155530524 dated 27.11.2024 belong to the 2nd petitioner, for renewal of above pass ports of the petitioners without reference to the pendency of criminal case and pass such other order or orders may deem fit and proper in the circumstances of the case."

2. Heard Mr. A.Prabhakar Rao, learned counsel for the petitioner and Mr. A.S.Vasudevan, learned counsel for respondents No.1 and 2. With their consent, the writ petition is disposed of at the stage of admission.

3. Learned counsel for the petitioner submits that the issue raised in this writ petition is squarely covered by the judgment of this Court reported in Mohammed Tahsen v.

Union of India rep. by its Principal Secretary, Ministry
of External Affairs South Block, New Delhi¹.

4. Learned counsel for the respondents submits that on the very same conditions imposed by this Court in the above said judgment, this writ petition be disposed of.

5. In view of aforesaid submissions, this Writ Petition is disposed of directing the respondents-authorities to consider the application submitted by the petitioner *vide* File No.HY8077155485124, dated 27.11.2024 seeking to renew his passport bearing No.M6348220, subject to the following conditions:

- i) The petitioner herein shall submit an undertaking along with an affidavit in connection with Crime.No.143 of 2020, which is numbered as P.R.C.No.2 of 2027 stating that he will not leave India during pendency of the said crime without permission of the Court and

¹ 2025 (1) ALT (CrI.) 11 (T.S.)

- that he will co-operate with trial Court in concluding the proceedings in the said crime.;
- ii) On filing such an undertaking as well as affidavit, the trial Court shall issue a certified copy of the same within two (02) weeks therefrom;
 - iii) The petitioner herein shall submit certified copy of aforesaid undertaking before the Respondent Passport Officer for renewal of his 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 petitioner for renewal of his passport in accordance with law, within two (03) weeks from the date of said application;
 - v) On renewal of the Passport, the petitioner herein shall deposit the original renewed Passport before the trial Court in connection with Crime.No.143 of 2020, which is numbered as P.R.C.No.2 of 2027 ; and
 - vi) However, liberty is granted to the petitioner herein to file an application before the trial Court seeking permission to travel aboard and

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it is for the trial Court to consider the same in
accordance with law.

As a sequel, miscellaneous petitions, pending if any,
stand closed. There shall be no order as to costs.

//TRUE COPY//

**SD/-A.V.S.PRASAD
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Secretary, The Union of India, Ministry of External Affairs, South Block, Secretariat, Raisina Hills, New Delhi
2. The Regional Passport Officer, Regional Passport office D.No.8-2-215 to 219, Knonmaraguda, Secunderabad-500 003.
3. One CC to Sri A. Prabhakar Rao, Advocate [OPUC]
4. One CC to Sri A.S. Vasudevan, SC [OPUC]
5. Two CD Copies

T J
GJP

HIGH COURT

CC TODAY

DATED:13/02/2025



ORDER

WP.No.4089 of 2025

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

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G.D.
15/2/25