



2026:TSHC:8123

[3300]

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

**WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 15936 OF 2026

Between:

Nukala Sunitha, W/o. Nukala Vidyasagar Reddy aged 50 years, caste - Reddy,
Occ. Business, R/o. Flat. No. 2/A, Ayush Enclave Apartments, Anuradha Nagar
Colony, Road No-1, Chinthalakunta, Ranga Reddy District, Present Residing at
H. No. A/ 326, Hill Colony of Nagarjunasagar.

...PETITIONER

AND

1. Union of India, Rep. by Secretary, Ministry of External Affairs, Gruhakalpa Complex, M. J. Road, Nampally, Hyderabad - 500001
2. Regional Passport Officer, 73, Red Cross Road, Monda Market, Shivaji Nagar, Secunderabad, Telangana 500003.
3. Passport Seva Kendra, Add. Door no. 1-8-368 to 372, Gowra Trinity, Chiran Fort Lane, Begumpet, Hyderabad, Telangana - 500016

...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 an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus by declaring the rejection, non-consideration and denial for Renewal of Passport owing to pending criminal cases will be illegal, arbitrary and unconstitutional and consequently direct the Respondents to Consider the Passport renewal application of the Petitioner without getting influenced with pending criminal cases.



2026:TSHC:8123

I.A. 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 Respondents to Consider the Passport renewal application of the Petitioner without getting influenced with pending criminal cases pending disposal of the main writ petition.

**Counsel for the Petitioner : MS.NANDURI SRI TAYARU MANASA RAMYA,
FOR SRI AVADESH NARAYAN SANGHI**

**Counsel for the Respondent : SRI N.BHUJANGA RAO,
Dy.Solicitor General Of India**

The Court made the following: ORDER



IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION No. 15936 of 2026

06th May, 2026

Between:

Nukala Sunitha, W/o Nukala Vidyasagar Reddy

... Petitioner

AND

Union of India, represented by Secretary,
Ministry of External Affairs, Hyderabad, and others

... Respondents

ORDER:

This petition is moved as a Lunch Motion citing urgency.

When the matter is taken up, learned counsel for the petitioner submits that the petitioner submitted an online application to the respondent-Passport authority seeking renewal of her passport; and she mentioned about the pending criminal proceedings against her in C.C. No. 747 of 2024 on the file of Judicial Magistrate of First Class, at Nidamanoor, while filling out the Online Application. Learned counsel contends that the Appointment with the Passport Office is scheduled for 09th of May, 2026, and as there is a likelihood of refusal of renewal of passport in view of pending criminal proceedings, the petitioner was advised to obtain No Objection Certificate from the Court for obtaining the passport and therefore prays to issue No Objection Certificate to the petitioner to enable her to get her passport renewed.



2. Heard Ms. Nanduri Sri Tayaru Manasa Ramya, learned counsel for the petitioner, and Mr. N. Bhujanga Rao, learned Deputy Solicitor General of India for the respondents. Perused the record.

3. Learned Standing Counsel, by referring to Office Memorandum dated 10.10.2019 issued by the Ministry of External Affairs, submits that in view of the pending criminal proceedings, the petitioner is required to approach the concerned trial Court and obtain NOC, and furnish the NOC before the passport authority for considering issuance/renewal of passport. At this juncture, learned counsel for the petitioner submits that the petitioner undertakes to obtain permission of the trial Court if she intends to travel abroad.

4. Having considered the respective submissions, at the outset, it is settled law that mere pendency of criminal proceedings cannot be a ground to refuse issuance or renewal of passport. In this connection, it is relevant to refer to the orders passed by the Hon'ble Division Bench of this Court in W.A.No.194 of 2026, dated 17.02.2026, wherein the Division Bench has observed as follows:

"13. In the light of the principle laid down by the Apex Court concerning the interpretation of GSR 570(E) dated 25.08.1993 and Office Memorandum dated 10.10.2019, we are of the considered view that the appellant should make an application for seeking NOC from the concerned trial courts where criminal cases are pending against him. It is upon issuance of NOC that the appellant should file an application for renewal of the passport. In case the courts prescribe a period for which the passport is to be issued, the passport authority should honour that period. Otherwise, if it does not stipulate any period, the notification provides default rules, including issuance for a shorter period, ordinarily one year, in appropriate cases.

14. Since the passport of the appellant is going to expire on 28.02.2026, the appellant is at liberty to make an application for issuance of NOC from the concerned courts within this week. If such an application is made before the learned courts, the learned courts would endeavour to take it up expeditiously, preferably within a week, and pass appropriate orders after hearing the parties. It is for the appellant to seek renewal of passport based upon such NOC before the Regional Passport Authority. Needless to say, the Regional Passport Authority would consider the request of extension in accordance with law i.e., the Passports Act, 1967, GSR 570(E) dated 25.08.1993 and Office Memorandum dated 10.10.2019 applicable to the case on hand."

5. In the instant case, there are pending criminal proceedings against the petitioner, in C.C. No. 747 of 2024 on the file of Judicial Magistrate of First Class, at Nidamanoor, and therefore this Court deems it appropriate to direct the petitioner to approach the Court of Judicial Magistrate of First Class, at Nidamanoor, and make an appropriate application seeking a "No Objection Certificate" for renewal of her passport. Upon filing such application, the trial Court shall consider the same and pass appropriate orders expeditiously, preferably within one week from the date of application. Upon furnishing the NOC, the passport authority shall consider the same for renewal of her passport in accordance with law.

6. Accordingly, the writ petition is disposed of with the above directions. No costs. Miscellaneous petitions, if any, pending shall stand closed.

SD/-K. BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of External Affairs, Gruhakalpa Complex, M. J. Road, Nampally, Hyderabad - 500001



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2. The Regional Passport Officer, 73, Red Cross Road, Monda Market, Shivaji Nagar, Secunderabad, Telangana 500003.
3. The Passport Seva Kendra, Add. Door no. 1-8-368 to 372, Gowra Trinity, Chiran Fort Lane, Begumpet, Hyderabad, Telangana - 500016
4. One CC to SRI AVADESH NARAYAN SANGHI, Advocate. [OPUC]
5. One CC to SRI N.BHUJANGA RAO, Deputy Solicitor General of India, High Court for the State of Telangana at Hyderabad. [OPUC]
6. Two CD Copies.

BSK

BS

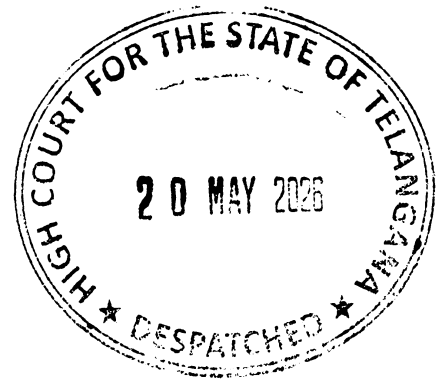


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HIGH COURT

DATED: 06/05/2026

CC TODAY



ORDER

WP.No.15936 of 2026

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

② NT
18/5/26.