

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

**MONDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 38489 OF 2025

Between:

Mrs. Sneha Latha Malla, W/o. Chintakindi Kaseem Aged 46 years Occ-
Advocate, Hat No.301, Vaishnavi Smart Apartment, Street No.2, Kakatiya
Nagar, Habsiguda, Hyderabad-500007.

...PETITIONER

AND

1. The Union of India, Represented by its Principal Secretary, Ministry of External Affairs, South Block Secretariat, Raisina Hill New Delhi, India.
2. The Regional Passport Officer, O/o The Regional Passport Office, D.No.82215 to 219, Near Prashanth Theatre, Kummarcudra, Secunderabad-500003 Telangana.
3. The Inspector of Police, Mulugu Police Station, Siddipet District. State of Telangana.

...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, declaring the action of 2nd Respondent in not issuing - passport pursuant to the application vide File no. HY1067376831125 dt. 06.02.2025 and vide letter dated 21.07.2025 on the ground of pending criminal case vide Crime No. 7 of 2016, of PS Mulugu, Siddipet District, for the offences punishable U/s 120-B, 121, 121(A) r/w 34 IPC, U/s 10, 13, 18, 18B and 20 of UA(P)Act, Sec 8(1)(2) of Telangana State Public Security Act 2012, which is pending trial vide SC No.6 of 2023 on the file of Principal District and Sessions Court, at Siddipet, communicated vide objection 0133/320809993/25 dated 24.02.2025 as illegal, arbitrary,

unconstitutional, in violation of principles of natural justice, and contrary to the provisions of the Passports Act, 1967, and consequently direct the 2nd respondent to issue passport by processing application vide file no. HY1067376831125 dt.06.02.2025 and vide letter dated 21.07.2025 without reference to the said criminal case.

I.A. 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 issue petitioner passport application vide file no. HY1067376831125 dt.06.02.2025 and vide letter dated 21.07.2025 afresh pending disposal of the present Writ Petition.

**Counsel for the Petitioner: SRI V.RAGHUNATH, Sr. COUNSEL, REP.
SRI KUTURU RAVINDER REDDY**

**Counsel for the Respondent No.1 & 2: SMT N.V.R.RAJYA LAKSHMI,
SC FOR CENTRAL GOVT., REP.
SRI N.BHUVANGA RAO,
DEPUTY SOLICITOR GENERAL OF INDIA**

Counsel for the Respondent No.3: GP FOR HOME

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION No.38489 of 2025

30.03.2026

Between:

Mrs. Sneha Latha Malla

...Petitioner

AND

The Union of India,
Rep.by its Principal Secretary,
Ministry of External Affairs, South Block Secretariat,
Raisina Hill, New Delhi, India & 2 others

...Respondents

ORDER:

The petitioner made an application to the respondent-Passport authority seeking renewal of passport; however, the passport authority refused to renew the same on the ground that the police verification revealed adverse report stating that criminal proceedings are pending against the petitioner.

2. Heard Sri V.Raghunath, learned Senior Counsel representing Sri Kuthuru Ravinder Reddy, learned counsel for the petitioner and Smt NVR. Rajyalaskhmi, learned Standing Counsel for Central

Government, appearing on behalf of Sri N.Bhujanga Rao, learned Deputy Solicitor General of India, for respondent No.1. 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 against the petitioner, the petitioner is required to approach the concerned trial Court for necessary NOC/permission to obtain passport, and thereafter furnish the same before the passport authority for considering issuance of passport. In the instant case, the petitioner has not furnished NOC/permission from the trial Court and therefore there is no illegality in refusing to issue the passport.

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 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.”

5. In the instant case, there is no material placed on record to show that the petitioner filed an application before the trial Court seeking a “No Objection Certificate” for obtaining of passport. In view of the pending criminal proceedings against the petitioner in S.C.No.6 of 2023 pending on the file of learned Principal District and Sessions Court, at Siddipet, this Court deems it appropriate to direct the petitioner to approach the concerned Court, and make an appropriate application seeking a “No Objection Certificate” for obtaining passport. Upon filing such application, the concerned Court shall consider the same and pass appropriate orders expeditiously, preferably on the same day. Upon furnishing the NOC by the petitioner, the passport authority shall consider the same for issuance of passport in accordance with law.

6. It is made clear that the NOC that may be issued by the trial Court for obtaining passport shall not be construed as a permission to travel abroad. In case the petitioner intends to travel abroad during pendency of

criminal proceedings, the petitioner shall file a separate application seeking permission to travel abroad, by specifying the duration of travel, and the trial Court shall consider the application on its own merits, by imposing appropriate conditions in accordance with law. Needless to mention that the trial Court shall proceed in accordance with law to secure the presence of the petitioner in case of violation of any of the conditions so imposed while granting abroad travel permission.

7. Accordingly, the writ petition is disposed of with the above directions. No costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

Sd/- P. PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Ministry of External Affairs, South Block Secretariat, Raisina Hill New Delhi, India.
2. The Regional Passport Officer, O/o The Regional Passport Office, D.No.8-2-215 to 219, Near Prashanth Theatre, Kummarcuda, Secunderabad-500003 Telangana.
3. The Inspector of Police, Mulugu Police Station, Siddipet District. State of Telangana.
4. The Principal District and Sessions Court, at Siddipet.
5. One CC to SRI KUTURU RAVINDER REDDY, Advocate [OPUC]
6. One CC to SRI N.BHUJANGA RAO, DEPUTY SOLICITOR GENERAL OF INDIA, High Court for the State of Telangana at Hyderabad [OPUC]
7. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad [OUT]
8. Two CD Copies

BSR/DAN

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HIGH COURT

DATED: 30/03/2026

ORDER

WP.No.38489 of 2025



**DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS**

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