

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

**TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 1882 OF 2026

Between:

Rathan Babu Police, S/o Ramesh Police, Aged about. 29 years, Occ. Business,
R/o H.No. 11-1-1950/12. Kanteshwar. Gangasthan, Phase - I. Nizamabad,
Telangana - 503002.

...PETITIONER

AND

1. The Union of India, Represented by its Secretary Ministry of External Affairs
CTV Division TV1 Section Patiala House Annexe Government of India New
Delhi
2. The Regional Passport Office, D No 82215 to 219 Kummarguda
Secunderabad
3. Marneni ManohargMattu, S/o Late Dhanraj, Aged about 34 years, Occ.
Business, R/o Madhava Nagar, Nizambad, Telangana - 503230.

...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 order(s) or direction or writ more particularly one in the nature of writ of mandamus, declaring the action of 2nd Respondent in not renewing the passport of petitioner made vide File No HY4075274373325 as illegal arbitrary- and without jurisdiction and to consequently direct the Respondents to forthwith renew the passport of the petitioner made vide HY4075274373325 for a period of 10 years under Section 10 of Passports Act 1967 and under Rule 12 of Passport Rules 1980 without reference to the criminal proceedings pending against the petitioner in C.C. No 59 of 2024 on the file of the Honble Judicial First Class Magistrate Court at

Nizamabad, and also the Gazette Notification issued by the Central Government vide GSR No 570E dated 25.08.1993 in the interests of justice.

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 issue interim directions to the Respondents to forthwith consider the application of the petitioner for renewal of passport vide File No HY4075274373325 for a period of 10 years, without reference to the criminal proceedings pending against the petitioner C.C. No 59 of 2024 on the file of the Honble Judicial First Class Magistrate Court at Nizamabad, and also the Gazette Notification issued by the Central Government vide GSR No 570E dated 25 8 1993, pending disposal of W P No of 2024 and pass necessary orders as deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner : Ms.PEETHALA MANGESWARI SWAPNA

**Counsel for the Respondent No.1&2 : SRI N.V.R.RAJYA LAKSHMI
(SC FOR CENTRAL GOVT)
SRI N.BHUJANGA RAO,
Dy.Solicitor General Of India**

Counsel for the Respondent No.3 :

--

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.1882 of 2026

Dated: 21.04.2026

Between:

Rathan Babu Police

...Petitioner

AND

The Union of India,
Rep. by its Principal Secretary,
Ministry of External Affairs Department,
New Delhi & others

...Respondents

ORDER:

The Writ Petition is filed challenging the action of respondent passport authorities in not renewing the petitioner's passport *vide* File No.HY4075274373325 on the ground of pendency of a criminal case.

2. Heard Ms.P.M.Swapna, learned counsel for petitioner and Smt.NVR Rajyalakshmi, learned Standing Counsel for Central Government representing Sri N. Bhujanga Rao, learned Deputy Solicitor General of India, for respondent Nos.1 and 2.

3. Learned counsel for the petitioner submits that mere arraignment of the petitioner in a criminal case cannot be a ground

for denial of renewal of passport. He relies on the judgment of this Court in W.P.No.3211 of 2026, dated 04.02.2026.

4. Learned Standing Counsel for respondent Nos.1 and 2 submits that criminal case is pending against the petitioner *vide* C.C.No.59 of 2024 before the Judicial First Class Magistrate Court at Nizamabad. She, 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 renewal 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 renew the passport.

5. This Court has carefully considered the submissions of both parties and perused the material available on record. It is settled law that mere pendency of criminal proceedings cannot be a ground to refuse 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."

6. In the instant case, there is no material placed on record to show that the petitioner filed an application before the concerned trial Court seeking a "No Objection Certificate" for renewal of passport. In view of the pending criminal proceedings against the petitioner, this Court deems it appropriate to direct the petitioner to approach the concerned trial Court and make an appropriate

application seeking a "No Objection Certificate" for renewal of passport. Upon filing such application, the concerned trial Court shall consider the same and pass appropriate orders expeditiously, preferably within one week from the date of filing of such application. Upon furnishing the NOC by the petitioner, the passport authority shall consider the same for reissuing/renewing of passport in accordance with law.

7. It is made clear that the NOC that may be issued by the concerned trial Court for renewal of passport shall not be construed as permission by the petitioner 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 such 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.

8. Accordingly, the Writ Petition is disposed of with the above directions. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

SD/- N. CHANDRA SEKHAR RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, Ministry of External Affairs CTV Division TV1 Section Patiala House Annexe Government of India New Delhi
2. The Regional Passport Office, D No 82215 to 219 Kummarguda Secunderabad
3. One CC to Ms. PEETHALA MANGESWARI SWAPNA, Advocate. [OPUC]
4. One CC to SRI N. BHUJANGA RAO, Deputy Solicitor General of India, High Court for the State of Telangana at Hyderabad. [OPUC]
5. Two CD Copies.

BSK

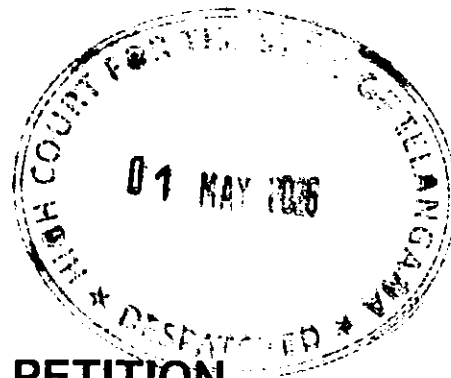
19

HIGH COURT

DATED: 21/04/2026

ORDER

WP.No.1882 of 2026



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

7 copies
K
11/5/26