



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 5295 OF 2026 (GM-PASS)

BETWEEN:

C SUDHEENDRA KAMATH
S/O C BHEEMASEN RAO,
AGED ABOUT 72 YEARS,
R/AT NO.5163, VEDAVATHI BLOCK,
NANDI ENCLAVE APARTMENT,
2ND CROSS, BSK 3RD STAGE,
HOSAKEREHALLI,
BENGALURU SOUTH,
BENGALURU,
KARNATAKA-560085.

...PETITIONER

(BY MR. GAURAV G K., ADVOCATE)

AND:

1. UNION OF INDIA
MINISTRY OF EXTERNAL AFFAIRS,
SOUTH BLOCK,
NEW DELHI-110001
THROUGH ITS SECRETARY.





2. REGIONAL PASSPORT OFFICE,
BENGALURU, 8TH BLOCK,
80 FEET ROAD,
KORAMANGALA,
BENGALURU,
KARNATAKA-560095
REPRESENTED BY
THE REGIONAL PASSPORT OFFICER.

...RESPONDENTS

(BY MS. SWAMINI G MOHANAMBAL., ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO-QUASH THE ENDORSEMENT DATED 04.12.2025 ISSUED BY THE R2 WHICH IS PRODUCED AS ANNEX-A; DIRECT THE RESPONDENTS NOT TO INSIST THAT THE PETITIONER COMPLIES WITH THE CONDITIONS IMPOSED IN THE ENDORSEMENT DATED 04.12.2025 PRODUCED AS ANNEXURE-A.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The petitioner's cause is as against the second respondent's communication dated 04.12.2025 [Annexure-A]. The second respondent, by this



Communication dated 04.12.2025, has informed the petitioner that his application for passport will not be processed unless he produces permission from the concerned Court to travel. Mr Gaurav G K, the learned counsel for the petitioner, and Ms Swamini G Mohanambal, the learned Central Government Counsel for the respondents, are heard for disposal of the petition.

The undisputed facts are that on a reference by the learned jurisdictional Magistrate, the jurisdictional police have filed 'B' Report, but the complainant has filed a Protest memo with the learned Magistrate proceeding to record his sworn statement. Both Mr Gaurav G K and Ms Swamini G Mohanambal propose to argue on whether the petitioner could be the denied a *Full Validity Passport* at this stage, but Mr Gaurav G K is categorical that the petitioner needs a passport for a limited travel period to visit his daughter in the United Kingdom.



The allegation against the petitioner in the private complaint is that, as a member of the Welfare Association of the Apartment Owners, he has refused to pay maintenance and when there is a demand for maintenance, he has threatened the office bearers of the association with criminal proceedings and threat to life. These circumstances must be examined to consider whether this Court must intervene to direct the second respondent to issue *short validity passport*. This Court, in the circumstances, is persuaded to opine that the petitioner must have this advantage as the circumstances do not justify a restriction on travel. Hence, the following:

ORDER

- [a] The petition is allowed calling upon the second respondent to issue a *Short Validity Passport* to the petitioner who is reserved with liberty to file a certified copy of this order with the



second respondent along with an affidavit of undertaking furnishing the details of the travel.

- [b] If the petitioner files the certified copy and the undertaking, the second respondent shall issue a *Short Validity Passport* forthwith.

Sd/-
(B M SHYAM PRASAD)
JUDGE

AN/-