

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

FRIDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 10850 OF 2026

Between:

Mrs. Sridevi Nemani, W/o. Mr. G.V.V.N. Dileep, Age 45 years, Occ. Private Employee, R/o. Flat No.1909, Manjeera Mastic Homes, KPHB Colony, 3rd Phase, Hyderabad, Telangana - 500085.

...PETITIONER

AND

1. The Union of India, Represented by its Principal Secretary, Ministry of External Affairs, Government of India, South Block, Raisina Hills, New Delhi-110001.
2. The Regional Passport Officer, Regional Passport Office, Door No 8-2-215 to 219, Kummarguda, Secunderabad. Telangana-500003.
3. The Station House Officer, Police Station KPHB, Kukatpally, Hyderabad.

...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 Order, Direction or Writ of Mandamus declaring the action of the second respondent in not renewing petitioners passport no.N3097739 pursuant to the application vide file no.HY1076305912226 dated 28/01/2026 on the ground of pendency of criminal case vide S.C. No.170 of 2024 on the file of Additional Chief Judicial Magistrate, Medchal Malkajgiri District at Kukatpally as arbitrary, unconstitutional, in violation of principles of natural justice and contrary to the provisions of Passport Act, 1967 and consequently direct the second respondent to renew petitioners passport bearing no.N3097739 pursuant to the application vide file no.HY1076305912226 dated 28/01/2026 without reference to the case vide S.C.

No.170 of 2024 on the file of Additional Chief Judicial Magistrate, Medchal Malkajgiri District at Kukatpally.

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 second respondent to renew the petitioners passport no.N3097739 pursuant to the application vide file no.HY1076305912226 dated 28.01.2026 without reference to the case vide S.C. No.170 of 2024 on the file of Additional Chief Judicial Magistrate, Medchal Malkajgiri District at Kukatpally, pending disposal of the writ petition.

Counsel for the Petitioner: SRI L.PRASADA RAO

**Counsel for the Respondent No.1 & 2: SMT N.V.R.RAJYALA (SHMI,
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.10850 of 2026

10.04.2026

Between:

Mrs.Sridevi Nemani

...Petitioner

AND

The Union of India,
Represented by its Principal Secretary,
Ministry of External Affairs,
Government of India, South Block,
Raisina Hills, New Delhi and 2 others

...Respondents

ORDER:

The petitioner made an application to respondent No.2 seeking renewal of passport bearing No.N3097739; 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 in S.C.No.170 of 2024 on the file of learned Additional Chief Judicial Magistrate, Medchal Malkajgiri District at Kukatpally.

2. Heard Sri L.Prasada Rao, learned counsel for the petitioner, Smt N.V.R.Rajyalakshmi, learned Standing Counsel for Central

Government representing Sri N.Bhujanga Rao, learned Deputy Solicitor General of India for respondent Nos.1 and 2 and learned Government Pleader for Home for respondent No 3. Perused the record.

3. Learned counsel for the petitioner submits that mere arraignment of the petitioner in a criminal case cannot be a ground for denial of passport. Therefore, seeks renewal of the said passport without reference to the pendency of criminal case.

4. Learned Standing Counsel for Central Government relies on the judgment of the Hon'ble Division Bench of this Court in W.A.No.194 of 2026, dated 17.02.2026. Further, 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.

5. 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.”

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 obtaining of passport. In view of the pending criminal proceedings against the petitioner in S.C.No.170 of 2024 on the file of learned Additional Chief Judicial Magistrate, Medchal Malkajgiri District at Kukatpally, this Court deems it appropriate to direct the petitioner to approach the court of learned Additional Chief Judicial Magistrate, Medchal Malkajgiri District at Kukatpally and make an appropriate application seeking a “No Objection Certificate” for obtaining 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 trial Court to the petitioner 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 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 said directions. There shall be no order as to costs.

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

//TRUE COPY//

SD/- P. PONNA KRISHNA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Ministry of External Affairs, Government of India, South Block, Raisina Hills, New Delhi, Union of India-110001.
2. The Regional Passport Officer, Regional Passport Office, Door No 8-2-215 to 219, Kummarguda, Secunderabad. Telangana-500003
3. The Station House Officer, Police Station KPHB, Kukatpally, Hyderabad.
4. The Additional Chief Judicial Magistrate, Medchal Malkajgiri District at Kukatpally.

5. One CC to SRI L.PRASADA RAO, Advocate [OPUC]
6. One CC to SRI N.BHUVANGA 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

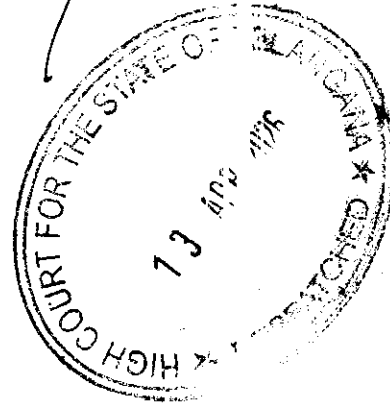
BSR



CC TODAY

HIGH COURT

DATED: 10/04/2026



ORDER

WP.No.10850 of 2026

DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS

(4)
SMT
13/10/26