

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 3114 OF 2020

Between:

Mr. Akram Ali Mohammed, S/o Mohammed Shareef Ali, Aged about 46 years, Occ. Journalist, R/o H. No. 19-2-369/83/A/88, SRT Chandul Baradari Colony, Bahadurpura, Hyderabad.

...PETITIONER

AND

1. The Union Government of India, through its Secretary, Ministry of External Affairs, -Government of India, New Delhi.
2. The Regional Passport Officer, D. No. 8-2-215-219, Adj. to Prashanthi Theater, Kummarguda, Secunderabad, Telangana State-500003.
3. The State of Telangana, Rep. by its Principle Secretary, Home Department, Secretariat, Hyderabad.
4. The Commissioner of Police, Commissionerate of Hyderabad, Basheerbagh, Hyderabad. RR 3 and 4 are impleaded as per C.O. dt. 27.02.2024 in I.A. No. 1/2022

...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 pass an order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent No. 2 by revoking the passport of the Petitioner bearing No. S1975897, issued on 04-07-2018 and valid till 03-07-2028 on the alleged pretext of intelligence Department, through Letter dated 17-10-2018 without following the principles of natural justice, is unjust, illegal, arbitrary, discriminatory, colourful exercise of powers, camouflage and in violative of Articles 14, 19 and 21 of the Constitution of India. Consequently set aside the order dated. 09-12-2019 issued by the Respondent No.2 to the Petitioner.

IA NO: 1 OF 2020

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 invoke my passport bearing No. S 1975897 pending disposal of the main case, in the interest of justice and equity lest, the Petitioner would be put to irreparable loss and injury.

**Counsel for the Petitioner: SRI MOHD MUZAFFER ULLAH KIAN ON BEHALF
OF SRI MOHD MUZAFFER ULLAH KHAN**

**Counsel for the Respondents No 1 & 2: SRI R. MANGULAL
SC FOR CENTRAL GOVERNMENT**

Counsel for the Respondents No 3 & 4: SRI MAHESH RAJE, GP FOR HOME

The Court made the following: ORDER

**IN THE HIGH COURT OF JUDICATURE FOR THE STATE OF
TELANGANA
HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA**

WRIT PETITION No. 3114 OF 2020

29.01.2026

Between:

Mr. Akram Ali Mohammed

..... Petitioner

And

The Union Government of India,

Through its Secretary,

Ministry of External Affairs & others

..... Respondents

O R D E R:

Petitioner, who claims to be the citizen of India, has been in journalism since 2005 and worked in various Urdu Leading daily newspapers; during 2009, he was issued Accreditation Card, bearing No. 212 by the Department of Information and Public Relations, the then Government of Andhra Pradesh; subsequently, he was elevated as Special Correspondent in Siasat Urdu daily newspaper in 2012 and worked there till 2016 and subsequently, petitioner was appointed as Special Correspondent in T. TV Urdu Channel and worked there for one year. However, petitioner launched News Website under the name and style of 'Azad Reporter.com' having

the face book account on the name of 'Azad Report Abu Aimal' subscribing by around 1.4 Million people, besides having you-tube channel under the name 'Azad Reporter' having subscriptions of 1.15 lakhs and Instagram handle 'Azad Reporter' having 73 K viewers.

1.1. It is stated, petitioner was holding Indian Passport bearing No. H 00088478 issued on 07.08.2008 valid till 06.08.2018; during which, he travelled to Makkah Kingdom of Saudi Arabia in 2017 against the Visa issued by the Kingdom of Saudi Arabia for 15 days for the purpose of performing Haj (Umrah). Except the said place, it is stated, petitioner did not visit any country during the validity of passport bearing No. H0088478. Prior to expiry of passport bearing No. H0088478, had applied for renewal of the said passport and after renewal of passport, the 2nd respondent issued fresh passport bearing No. S1975897 on 04.07.2018 valid through 03.07.2023

1.2. It is contended, the 2nd respondent issued letter bearing No. RVK/309293717/19 with File No. HY3071316866118, dated 25.10.2019, requesting petitioner to submit his passport bearing No. S 1975897 as the competent authority decided to revoke the said passport invoking the proviso 10 (3)(C) of the Passports Act, 1967, without calling for

3 any explanation and without affording an opportunity to represent himself, which is against the basic principles of natural justice. On the ground that revoking the passport by the 2nd respondent *vide* order dated 25.10.2019 is unsustainable and untenable and the same was passed without proper notice and opportunity, without assigning any reasons etcetera, petitioner is before this Court.

2. The 2nd respondent - Regional Passport Authority filed counter stating that initially, passport was issued to petitioner with validity up to 06.08.2018 and on expiry of the passport, another passport was issued valid from 04.07.2018 up to 03.07.2028. It is stated, they received a secret letter from Intelligence Department, State of Telangana, Hyderabad dated 17.10.2019 stating that petitioner's Application for issuance of passport or travel document for visiting any foreign country may be refused under Clause (C) (2) Section 5 of Passport Act, 1967 and in the said letter, police informed to the 2nd respondent that petitioner may or is likely to engage outside India in the activities prejudicial to the sovereignty and integrity of India, therefore, they revoked the passport and the same was intimated to him through orders dated 25.10.2019. Thereupon, petitioner addressed letter dated 12.11.2019 asking the reasons

for revocation of passport and he was provided through correspondence dated 09.12.2019 reasons for revocation and the office of 2nd respondent requested the Commissioner of Police, Hyderabad City to look into the matter under which circumstances a clear report was submitted. But, the intelligence department submitted report to the 2nd respondent on 17.10.2019 not recommending the issuance of passport to petitioner as his activities are prejudicial to the Sovereignty and integrity of India and a personal file is maintained at Special Branch at Shamshabad Zone to keep his unlawful activities under surveillance.

3. The 4th respondent – Commissioner of Police also filed counter stating that they caused discrete enquiry and submitted report on 30.09.2019 to the Joint Commissioner of Police, Special Branch, Hyderabad through the Assistant Commissioner of Police, Special Branch, Hyderabad stating that petitioner involved in Crime No. 155/1998 under Sections 121 (a), 122, 153 (a), 420, 471 of IPC and Section 25 (1) of the Arms Act and Section 3 (2) (a) and 14 of the Foreigners Act, 1946 read with Section 120 (b) IPC. and he was cited as Accused No. 12 in the said case which was acquitted on 24.06.2002. It is stated, petitioner has connection with ISI Activists Mohammad Saleem

Junaid and he concealed one Pistol of 30 rounds and 1 Kg. of Potassium Chloride mixer at his cycle shop godown. The 4th respondent also stated that in 2018, an issue was raised between Sunni and Shiya sects about hatred speech in Abubakar Masjid situated at Mirchowk, Hyderabad and petitioner broadcasted his views in favor of one community through his news channel Azad TV. It is also stated, in 2019, an issue was raised at Amberpet limits with regard to Ek-Khana Mosque between GHMC and Muslim community and petitioner has shot a video and made it viral in order to corrupt the minds of particular sect of people and that there is a personal file opened against him *vide* ID No. 84/PF/2018, dated 10.04.2018 to keep his unlawful activities under surveillance. Therefore, the Inspector General of Police, Intelligence Department, Telangana State considered the material on record and addressed the letter ID No. 65/F4/2018, dated 17.10.2019 informing the 2nd respondent that petitioner's Application for issuance of passport or travel document may be refused as there is likelihood by petitioner to engage with anti-social elements.

4. To the counter of the 4th respondent, petitioner filed rejoinder/additional affidavit denying the allegation made against him. It is asserted, he did not conceal the above crime

No. 155/1998 against him and the said case was acquitted on 24.06.2002 and the State has not preferred any Appeal.

5. Heard Sri Mohd. Muzaffer Ullah Khan, learned counsel on behalf of petitioner, Sri R. Mangulal, learned Central Government Standing Counsel on behalf of Respondents 1 and 2 and Sri Mahesh Raje, learned Government Pleader for Home on behalf of Respondents 3 and 4.

6. The passport of petitioner was revoked by the 2nd respondent on 25.10.2019. In this Writ Petition, petitioner seeks to set aside the order dated 09.12.2019 which is only clarification to the letter given by petitioner on 12.11.2019 and in the said communication, petitioner was advised to take orders from Court recommending issuance of passport. Petitioner has not challenged the revocation order, dated 25.10.2019 for the reasons known to him. Where there is no specific prayer or challenge to the revocation order, dated 25.10.2019, petitioner cannot expect any orders in his favour. That apart, the 4th respondent filed a detailed counter about the activities in which petitioner is involved in 2018 and 2019 and there is separate file opened against him to keep a vigil on his unlawful activities and he is under surveillance by the police. Later, upon considering all the material against petitioner, the

Inspector General of Police, Intelligence Department, Telangana State, Hyderabad through letter dated 17.10.2019 informed the 2nd respondent that issuance of passport or travel document of petitioner may be refused, as he may be likely to engage with anti-national elements / handlers outside India and his activities are prejudicial to the sovereignty and integrity of India. The Police also stated about concealment of one Pistol of 30 rounds and 1 kg of Potassium Chloride mixture at his Cycle shop and his connection with ISI group and his involvement in 2018 with regard to the issue between Sunni and Shiya sects and broadcasting his views in Azad TV. Though petitioner filed rejoinder, except bald denials, there is no specific denial about concealment of Pistol having 30 rounds and possession of Potassium Chloride and his connections with ISI.

7. It is to be noted, renewal of passport is not an automatic one and is governed by the rules and regulations. Any travel document issued by the 2nd respondent should be used in a proper manner. When the activities of petitioner are under surveillance by the police, this Court should be careful enough to consider the case of petitioner, that too, when it is seriously alleged that his activities would affect the sovereignty and integrity of India. Therefore, for the reasons mentioned

above, this Court does not feel any justification in favour of petitioner to grant relief.

8. Grant of relief under Article 226 of Constitution is a discretionary one. Though petitioner pleaded that action of the 2nd respondent is in violation of Articles 14, 19 and 21 of the Constitution, this Court is unable to countenance the same for the aforesaid reasons.

9. Learned counsel for petitioner relied upon the Judgments of this Court in ***Hassan Ali Khan v. Regional Passport Officer, Passport Office, Hyderabad***¹ and that of the High Court of Punjab and Haryana at Chandigarh in ***Harpal Singh v. Union of India***² and of High Court of Rajasthan in ***Savitri Sharma v. Union of India*** (S.B. Civil Writ Petition No. 2602 of 2024). So far as applying principles of natural justice is concerned, there are exceptions to the said principles. When public interest, national security, impracticality, confidentiality are involved, the question of applying principles of natural justice does not arise. Hence, the judgment in Hassan Ali Khan's case is not applicable to the case on hand. Similarly, the Judgments of Punjab and Haryana and

¹ 1997 (6) ALD Page 820

² 2023 (2) RCR (civ) 15

Rajasthan High Courts are different on facts and therefore, they are not applicable to the present case. Hence, the Writ Petition is liable to be dismissed.

10. The Writ Petition is accordingly, dismissed. No costs.

11. Consequently, the miscellaneous Applications, if any shall stand closed.

Sd/-A.JAYASREE
ASSISTANT REGISTRAR

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//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. MOHD MUZAFFER ULLAH KHAN, Advocate [OPUC]
2. One CC to SRI. R MANGULAL SC FOR (CENTRAL GOVERNMENT [OPUC]
3. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad. [OUT]
4. Two CD Copies

DAN/PMK

SK

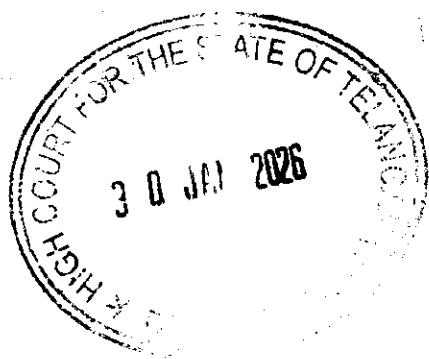
CC TODAY

HIGH COURT

DATED:29/01/2026

ORDER

WP.No.3114 of 2020



DISMISSING THE WRIT PETITION
WITHOUT COSTS

(A) 29/01/2026