



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3207]

THURSDAY, THE SIXTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

WRIT PETITION NO: 9769/2026

Between:

1. SYED ABDAL HUSSAINI,, S/O. SYED UBAIDULLAH HUSSAINI,
MUSLIM, AGED 43 YEARS, OCC. BUSINESS, R/O H.NO.1-128,
JANDEWALE SAHEB DARGA, NEAR HINDUSTHAN HOTEL,
BANAGANAPALLE VILLAGE AND MANDAL, NANDYAL DISTRICT,
ANDHRA PRADESH.

...PETITIONER

AND

1. THE UNION OF INDIA, MINISTRY OF EXTERNAL AFFAIRS, REP. BY
ITS SECRETARY, NEW DELHI.

2. THE REGIONAL PASSPORT OFFICER, REGIONAL PASSPORT
OFFICE, VIJAYAWADA, M.G.ROAD (BUNDAR ROAD), OPPOSITE
RADIO STATION (AIR), VENKATESWARA THEATRE COMPLEX,
VIJAYAWADA.

3. THE STATION HOUSE OFFICER, BANAGANAPALLE POLICE
STATION, BANAGANAPALLE, NANDYAL DISTRICT.

...RESPONDENT(S):

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 topleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not issuing the passport to petitioner in pursuant to his application in file No. 25-1069436807 dated 29.12.2025 as illegal, arbitrary, unjust, unreasonable,

high handed and violative of Articles 14, 19 and 21 of the Constitution of India apart from the provisions of Passport Act, 1967 and consequently direct the Respondents to issue the same forthwith and pass

IA 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 Respondents to issue passport to the Petitioner in pursuant to his application in file No. 25-1069436807, dated 29.12.2025, pending disposal of the Writ Petition and pass

Counsel for the Petitioner:

1.B SIVA KESAVA REDDY

Counsel for the Respondent(S):

1.GP FOR HOME

2.

The Court made the following:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND**WRIT PETITION No.9769 of 2026****ORDER: -**

It is brought to the notice of this Court by both the learned counsel that the subject matter of this writ petition is squarely covered by the common order passed in W.P.No.5769 of 2026 and batch, dated 07.04.2026, which is as follows:

"9. Accordingly, these writ petitions are allowed with the following direction:

The Passport Authorities to consider and pass appropriate orders on the applications submitted by the petitioners for issuance of passports or re-issuance of passports or renewal of passports, for a period of ten (10) years, under Section 10 of the Passports Act, 1967 and under Rule 12 of Passport Rules, 1980 and also the Gazette Notification issued by the Central Government vide GSR No.570(E), dated 25.08.1993, without reference to the criminal proceedings pending against the petitioners before the concerned Courts, subject to the following conditions:

- (i) The petitioners shall submit an undertaking, along with an affidavit affirming that he/she will not leave the country during the pendency of the criminal proceedings, pending against them without permission of the courts having jurisdiction and that he/she will co-operate with concerned trial court in concluding the proceedings.
- (ii) On filing such an undertaking as well as affidavit, the concerned trial court shall issue a certified copy of the same within two (02) weeks.
- (iii) The petitioners shall submit the certified copy of the aforesaid undertaking before the respondent-Passport Officer for issuance of passport or re-issuance or renewal of his/her passport.

(iv) The respondent-Passport Officer shall consider the said application in the light of the observations made by this Court herein as well as the contents of the undertaking given by the petitioners for issuance of passport or re-issuance or renewal of his/her passport in accordance with law, within two (02) weeks from the date of said application.

(v) On renewal of the passport, the petitioners shall deposit the original renewed Passport before the concerned trial court.

(vi) The petitioners shall file an application before the concerned trial Court seeking permission to travel abroad.

(vii) The concerned trial Court shall consider the same, in accordance with law.”

2. Hence, following the said orders, this writ petition is allowed on the same terms.

3. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE BATTU DEVANAND

Date: 16.04.2026

SA

10

THE HON'BLE SRI JUSTICE BATTU DEVANAND

WRIT PETITION NO.9769 of 2026

Dt.16.04.2026

SA