



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 9630 OF 2026 (GM-PASS)

BETWEEN:

1. RIYA ADLINE MATHIAS
AGED ABOUT 36 YEARS,
W/O MACQUIN JOSEPH MONTEIRO,
R/AT FLAT NO.303, RYANA APARTMENTS,
SANTHEKATTE POST,
GOPALAPURA, IST CROSS,
UDUPI DISTRICT-576 105
PRESENTLY EMPLOYED AT
ORCHID VUE HOTEL
BEHIND ADCB BANK, STREET NO. 1A,
KHALID BIN AL WALEED ROAD,
BUR DUBAI,
UNITED ARAB EMIRATES

... PETITIONER

(BY SRI. DEEPAK WAGLE., ADVOCATE)

AND:

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA

1. UNION OF INDIA
REP. BY ITS SECRETARY
MINISTRY OF EXTERNAL AFFAIRS
JAWARALAL NEHRU BHAVAN
23-D, JANPATH,
NEW DELHI-110 011
2. THE JOINT SECRETARY
MINISTRY OF EXTERNAL AFFAIRS
JAWARALAL NEHRU BHAVAN
23-D, JANPATH,
NEW DELHI-110 011
3. THE REGIONAL PASSPORT OFFICER
REGIONAL PASSPORT OFFICE



8TH BLOCK, 80 FEET ROAD,
KORAMANGALA,
BENGALURU-560 095

... RESPONDENTS

(BY SRI. SWAMINI GANESH MOHANAMBAL, CGC FOR R1 TO R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECTING THE RESPONDENTS TO RENEW THE PETITIONER'S PASSPORT BEARING NO.N4719796 ANNEXURE-A AND ALSO TO COMMUNICATE THE CONSULATE GENERAL OF INDIA, DUBAI TO RENEW THE PETITIONER'S PASSPORT APPLICATION VIDE NO.25-2056415907 DATED 23.12.2025 ANNEXURE B IN COMPLIANCE OF THE ORDER PASSED BY THIS HON'BLE COURT AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:
 - a. Issue a writ of mandamus, appropriate writ or direction directing the Respondents to renew the Petitioners passport bearing No.N4719796 Annexure 'A' and also to communicate the Consulate General of India, Dubai to renew the Petitioner's passport application vide No.25-2056415907 dated 23-12-2025 Annexure 'B' in compliance of the order passed by this Hon'ble Court.*
 - b. Grant such other and further relief/s as this Hon'ble Court deems fit to grant in the circumstances of the case, in the interest of justice and equity.*
2. The petitioner had made an application for renewal of her passport which is not processed on account of certain criminal proceedings which were pending



against the petitioner in PCR No.24 of 2021 on the file of the Additional Civil Judge and JMFC, Udupi for the offences punishable under Section 420, 465, 468, 474, 504, 506 read with Section 34 of the IPC.

3. The petitioner having filed a criminal petition, this Court by order dated 03.06.2021 in CrI.P.No.3973 of 2021, has stayed the further proceedings and said proceedings. Another Criminal proceeding in Crime No.72 of 2021 arising out of PCR No.26 of 2021 has been filed, this is also challenged by the petitioner in CrI.P.No.3976 of 2021, wherein this Court vide order dated 28.07.2021, has stayed the further proceedings. The third proceedings in Crime No.71 of 2021 arising out of PCR No.25 of 2021, has been stayed by this Court vide order dated 08.07.2021 in CrI.P.No.3968 of 2021.
4. The submission of Sri.Deepak Wagle., learned counsel for the petitioner is that apart from these three criminal proceedings there are no other criminal proceedings. All of them having been stayed, the petitioner's right under Article 21 of the Constitution of India to travel is being infringed by respondent not processing the application for renewal of passport.



5. The petitioner is right in submitting that the fundamental right to travel under Article 21 of the Constitution of India has been violated by non-processing of the application. The interest of the respondent-State could always be safeguarded by the petitioner obtaining necessary permission from the Court seized of the matter to travel, which could be submitted to the respondent-Authorities and on that basis the application could be processed.
6. In the present case, learned counsel for the respondent submits that the application has already been closed and, therefore, cannot be processed. He further submits that, though the application was filed before the consulate at Dubai, no document has been placed on record before the authorities evidencing permission to travel to or stay abroad.
7. The submission made by learned counsel for the respondent also deserves consideration, inasmuch as the petitioner has not yet obtained permission from the concerned Courts to travel abroad. Considering that the proceedings have been stayed by a Co-ordinate Bench of this Court, any application, if filed, seeking for such permission could not have been processed.



8. As such, if an application is filed by the petitioner the trial Court is directed to process the said application, the same would not amount to any proceedings in the matter but would only be incidental to the application filed by the petitioner to travel which could be considered by the said Court seized of the matter of PCR Nos.24/2021, 25/2021 and 26/2021.
9. In that view of the matter, this Court passes the following;

ORDER

- i. The writ petition is ***partly-allowed***.
- ii. The petitioner is permitted to file a fresh application for renewal of the passport accompanied by necessary permission from the concerned Courts permitting the petitioner to travel.
- iii. On such application being filed, respondents are directed to consider and process the said application of the petitioner for renewal of the passport within a period of three weeks from the date of such submission.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

SR
List No.: 1 Sl No.: 68