



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 13885 OF 2026 (GM-PASS)

BETWEEN:

GEETHA SHANMUGHAM
W/O SHANMUGHAM,
AGED 63 YEARS,
R/AT NO.6/1, 4TH FLOOR,
REST HOUSE ROAD,
BENGALURU 560 001.

...PETITIONER

(BY SRI. AMIT ANAND, ADVOCATE)

AND:

1. UNION OF INDIA
MINISTRY OF EXTERNAL AFFAIRS,
SOUTH BLOCK,
NEW DELHI-110 001.
REPRESENTED BY ITS SECRETARY.

2. THE REGIONAL PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE, BENGALURU,
KENDRIYA SADAN, 8TH BLOCK,
80 FEET ROAD, KORAMANGALA,
BENGALURU-560 095.

...RESPONDENTS

(BY SMT. RESHMA K.T., CGSC)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECTING THE RESPONDENTS NO.1 AND 2 TO RENEW/ RE-ISSUANCE OF THE PASSPORT OF THE PETITIONER BEARING NO.P4995804 (ANNEXURE-E) WITHIN OUTER LIMIT OF ONE



WEEK AND DECLARE THAT THE NON-ISSUANCE OF THE PETITIONERS RENEWED PASSPORT BY THE RESPONDENT NO.2 IS ARBITRARY, ILLEGAL AND VIOLATIVE OF ARTICLES 14 AND 21 OF THE CONSTITUTION OF INDIA AND THE PROVISION OF THE PASSPORTS ACT, 1967 AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The petitioner is seeking for issuance of a writ of mandamus directing respondents 1 and 2 for renewal/reissuance of passport to the petitioner bearing No.P4995804 (Annexure-E) and to declare that the non-issuance of the petitioner's renewed passport by respondent No.2 is arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India.

2. Heard learned counsel appearing for the petitioner and learned CGSC appearing for the respondents. Perused the records.

3. Having heard the learned counsel appearing for the petitioner and on perusal of the material placed on



record, this Court finds that there is considerable force in the submission canvassed on behalf of the petitioner. It is not in dispute that the petitioner is facing criminal proceedings for the offence punishable under the Karnataka Prevention and Eradication of Inhuman Evil Practices and Black Magic Act, 2017. However, it is equally not in dispute that this Court, in Criminal Petition No.22319/2023, has granted an order of stay of further proceedings in the said criminal case.

4. In that view of the matter, the mere pendency of criminal proceedings cannot be put against the petitioner, particularly when the competent Court has already stayed further proceedings. The effect of such stay is that the proceedings are kept in abeyance and therefore, the respondents–Authority was not justified in rejecting the request of the petitioner for renewal of her passport.

5. This Court is of the considered view that even in cases where criminal proceedings are pending, the



Passport Authority is required to examine the request for issuance or renewal of passport in the light of applicable rules and executive instructions governing issuance of Short Validity Passports. The existence of a stay order passed by this Court ought to have been duly taken note of by respondent No.3 while considering the petitioner's application.

6. In the present case, the refusal to renew the passport clearly reflects non-application of mind to the material fact that the criminal proceedings are stayed. Therefore, the petitioner is entitled for a direction at the hands of this Court.

7. In that view of the matter, this Court proceeds to pass the following;

ORDER

- (i) The writ petition is hereby allowed.



(ii) The petitioner is reserved with liberty to submit a fresh application online seeking renewal of passport.

(iv) On receipt of such application, respondent No.2 shall consider the same without insisting upon fresh police verification and shall take into consideration the interim order of stay granted by this Court in W.P.No.22319/2023, whereby further proceedings in Cr.No.320/2023 are stayed.

(v) The respondent No.2 shall, thereafter, process the application in accordance with law and issue a Short Validity Passport, if the petitioner is otherwise eligible within a period of one week from the date of receipt of the application.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE