



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 17077 OF 2026 (GM-PASS)

BETWEEN:

VISHWANATHA HULLUR
S/O VENKATARAMANAPPA,
AGED ABOUT 68 YEARS
NO. 101/50, 1ST MAIN,
TATA SILK FARM, BASAVANAGUDI,
BENGALURU - 560 004

PRESENTLY RESIDING AT
NO. 60, III FLOOR,
FLAT NO. 301,
8TH A MAIN ROAD,
AMIRTHASHI RESIDENCY,
NEAR PATALAMMA PARK,
JAYANAGAR, 3RD BLOCK,
BENGALURU - 560 011.

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA

...PETITIONER

(BY SRI. RAMESH N.K, ADVOCATE)

AND:

1. UNION OF INDIA,
MINISTRY OF EXTERNAL AFFAIRS,
JAVAHARALAL NEHARU BHAVAN
NEW DELHI - 110 001,
REPRESENTED BY PRINCIPAL SECRETARY.



2. THE PASSPORT AUTHORITY OF INDIA,
PSP DIVISION,
MINISTRY OF EXTERNAL AFFAIRS,
ROOM NO. 8, PATIALA HOUSE,
TILAK MARG, NEWDELHI - 110 001
REPRESENTED BY
CHIEF PASSPORT OFFICER.

3. THE REGIONAL PASSPORT OFFICE,
BENGALURU, 8TH BLOCK,
80 FEET ROAD, KORAMANGALA,
BENGALURU - 560 095
REPRESENTED BY REGIONAL PASSPORT OFFICER.

...RESPONDENTS

(BY SRI. KUMAR M.N, CGSC FOR R1 TO R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A). TO ISSUE A WRIT IN A NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, DIRECTION, QUASHING THE COMMUNICATION DATED 21/06/2024 IN FILE NO BN2076507503724, LETTER REFERENCE NO. SCN/318310193/24 VIDE ANNEXURE-C. AND COMMUNICATION DATED 15/05/2026 IN REFERENCE NO. FCL/1055009699/26 VIDE ANNEXURE-.E. ISSUED BY THE THIRD RESPONDENT THE REGIONAL PASSPORT OFFICER KORAMANGALA IN THE INTEREST OF JUSTICE 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. Petitioner is before this Court seeking for the following reliefs:-

WHEREFORE, the Petitioner pray that this Hon'ble Court may kindly be pleased:-

- a) To issue a writ in a nature of certiorari or any other appropriate writ, direction, quashing the communication dated 21.06.2024 in File No.BN2076507503724, Letter Reference No.SCN/318310193/24 vide Annexure-'C' and communication dated 15.05.2026 in Reference No.FCL/1055009699/26 vide Annexure-'E' issued by the third respondent the Regional Passport Officer Koramangala in the interest of justice.*
- b) Issue a writ in the nature of Mandamus or any other appropriate writ or direction, directing the Respondent-Authorities to reconsider the Application of the petitioner filed before the respondent No.2 Annexure-E dated 15.05.2026 seeking renewal of his Indian Passport bearing Passport Application No.BN2076507503724 and take a decision without insisting for permission from the jurisdictional Courts in the interest of justice.*

2. The application filed by the petitioner for renewal of his passport was not considered instead, a communication at Annexure-C dated



21.06.2024 was issued stating that the applicant has suppressed the pendency of criminal proceedings and since there are criminal proceedings which are pending and permission to travel is required to be secured and placed on record for the purpose of processing the applications.

3. It is challenging in the said endorsement, firstly issued on 21.06.2024 at Annexure-C and the subsequent communication dated 15.05.2026 at Annexure-E, the petitioner is before this Court.

4. Sri.Ramesh learned counsel for the petitioner submit that there are 3 criminal proceedings which are pending against the petitioner namely.

- i. C.C No.15923/2017 on the file of the III Additional CJM, Bengaluru for offences under Section 406, 420, 120-B r/w



Section 34, where a charge sheet has been laid and the matter is pending trial.

- ii. Criminal CCC No.5/2018 filed before this Court regarding criminal contempt which is also pending trial.
- iii. LGC No.42/2016 pending on the file of the Land Grabbing Court, Bengaluru which has been stayed by this Court in WP No.22328/2023.

5. The submission of Sri. Ramesh is that the petitioner has two daughters. The elder daughter is in Australia and the younger one is in Canada and it is for that reason the petitioner intends to visit them once in a while and as such the passport of the petitioner is required to be renewed, to afford him an opportunity of travel, which is a fundamental



right under Article 21 of the Constitutional of India.

6. Sri.M.N.Kumar learned CGSC appearing for respondent Nos.1 to 3 would however submits that without permission to travel in those criminal proceedings the petitioner cannot be permitted to travel and it is for that reason that the said permission was requested to be placed on record for the purpose of processing the application.
7. Heard Sri.Ramesh N.K learned counsel for the petitioner and Sri.Kumar M.N learned CGSC for respondent Nos.1 to 3 and perused the material on record.
8. It is quite clear that permission to travel abroad is not a prerequisite for the purpose of consideration or application for renewal of the passport. The permission to travel is required when the concerned person in this case, the



petitioner were to travel abroad and those orders would have to be placed on record.

9. For the purpose of safeguarding the interest of the State, this Court normally directs the issuance of a short validity passport which would put the Immigration Authorities on notice to secure a copy of the said order to travel abroad so as to permit the traveller to so travel. In that view of the matter this Court is of the considered opinion that petitioner cannot be deprived of the renewal of the passport

10. The submission of Sri.Ramesh however is that since the proceedings in LGC No.42/2016 have been stayed by this Court in WP No.22328/2023, that Court would not be in a position to take up the application for grant of permission to travel. The stay which has been granted is as regard to further criminal proceedings in the matter. The present



application seeking for travel abroad would be an incidental matter which in the considerable opinion of this Court, the Land Grabbing Court could consider and pass necessary orders. If so deemed fit permitting the petitioner to travel abroad.

11. In that view of the matter, this Court passes the following:-

ORDER

- a) Writ petition is partly allowed.
- b) Respondent No.2 is directed to issue a passport for the petitioner albeit a short validity passport for a period of one year.
- c) It is needless to say that the petitioner would have to produce the permission for travel granted by the respective Criminal Courts at the time of his travel either to



the FRRO or to the Immigration Officer so as to permit him to travel.

- d) The respective Criminal Courts seized over criminal proceeding against the petitioner are directed to process the application filed by the petitioner for travel abroad and pass necessary orders as expeditiously as possible.

SD/-
(SURAJ GOVINDARAJ)
JUDGE

VS
List No.: 1 SI No.: 44