

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 8202 of 2015

ORDER:

Heard learned counsel for the petitioner and learned Assistant Solicitor General appearing for the respondents.

This writ petition is filed challenging the action of respondent No.2 in not considering the application, dated 11.03.2015, submitted by the petitioner for renewal of his passport expired in 2015.

The petitioner is accused No.11 in C.C.No.4 of 2003 pending on the file of the Special Court-cum-I Additional Sessions Judge, City Criminal Courts, Nampally, Hyderabad. He was arrested and released on bail pursuant to the orders of this Court subject to the condition that he should surrender his passport to the learned Sessions Judge. He states that the said condition was partially relaxed by order, dated 19.06.2008. He further states that there is no restriction for renewal of the passport and for his travelling abroad. He also submits that his passport was returned by the learned Sessions Judge. He relies on a notification, dated 25.08.1993, contained in Passport Manual 2010 and seeks issuance of passport pursuant to the application, dated 11.03.2015.

The relevant portion of the notification states that the passport can be renewed only after production of the orders from the Court

concerned permitting the citizens to depart from India by granting exemption from the operation of the provisions of Clause (f) of sub-section (2) of Section 6 of the Passport Act, 1967 subject to the conditions stated thereunder. The passport issued pursuant to the notification can be renewed only on the basis of a fresh Court order specifying a further period of validity of the passport or specifying a period for travel abroad. It also insists for giving an undertaking.

In view of the above, this Court is not inclined to entertain the present writ petition, but gives liberty to the petitioner to approach the criminal Court concerned for appropriate orders for renewal of passport. As and when the petitioner approaches, it is for the Court concerned to pass orders on the basis of the notification, dated 25.08.1993.

The writ petition is accordingly disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:25.04.2017

kdl

