

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.19696 OF 2018

ORDER :

It is the case of the petitioner that he applied for renewal of his passport to the 2nd respondent. The 2nd respondent issued impugned endorsement dated 17.04.2018 stating that a criminal case is pending in Crime No.95/2017 on the file of Eluru Rural Police Station as petitioner has to obtain permission of concerned criminal court. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner and Smt.T.Rupa Singh, learned Standing Counsel for Central Government.

Learned Standing Counsel for Central Government submits that when the matter was referred to police, it is revealed that criminal case is pending against the petitioner in Crime No.95 of 2017. She submits that as criminal case is pending, petitioner is required to get permission from the Criminal Court for granting of passport in terms of notification dated 25.08.1993 in GSR 570(E). She also submits that Section 6 (2)(f) of the Passports Act is applicable to the petitioner.

It is to be seen that the application of the petitioner for renewal of his passport is pending before the 2nd respondent for want of permission from concerned Criminal Court in Cr.No.95 of 2017 and if petitioner obtains the same, as envisaged in the Notification issued by the Ministry of External Affairs dated 25.08.1993 in G.S.R.No.570(E), the respondent have to consider the petitioner's application for renewal. It is for the petitioner to

obtain the same and on submission of such permission; the 2nd respondent is directed to pass appropriate orders on the application of the petitioner, in accordance with Rules, within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

15.06.2018
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A.RAJASHEKER REDDY, J

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