

**THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**WP No.18742 of 2019**

**ORDER:**

This writ petition is filed questioning the action of the 5<sup>th</sup> respondent in not issuing the passport in favour of the petitioner on the premise that a criminal case is pending against him in Cr.No.268 of 2014 on the file of PS Begumpet, Hyderabad, as being illegal, arbitrary and violative of principles of natural justice.

02. Learned counsel for the petitioner submits that the petitioner is selected for World Body Building and Physique Sport Championship, 2019 and for that purpose would like to travel to South Korea, but the passport of the petitioner is not being processed by the 5<sup>th</sup> respondent. It is stated by the petitioner's counsel that the petitioner need to submit the copy of the passport and other documents before the concerned authorities before 25-08-2019 and the date is extended for one more week.

03. On the other hand, learned Asst. Solicitor General appearing for the official respondents submits that the issue of passport in respect of persons against whom criminal cases are pending is governed by the Circular No.V.I/401/1/3/2014, dated 21-08-2014, issued by the Ministry of External Affairs, which stipulates that the applicant is required to take permission from the concerned Court where his case is pending and also execute an undertaking as required under the circular, and the petitioner has to follow the said procedure for issue of the passport.

04. In view of the above circumstances, it is open for the petitioner to work out his remedies before the concerned Court for grant of permission to leave the Country for the purpose of

participating in the said competition. In any case, if the petitioner obtains permission from the competent Court, which should consider and dispose of expeditiously in view of the urgency pleaded and subject to complying other formalities for issue of passport, it is open for the 5<sup>th</sup> respondent to consider the application of the petitioner for issue of passport within a period of 3 days from the date of his submitting the application complete in all respects, in accordance with law. The writ petition is disposed of accordingly. Miscellaneous petitions, if any, pending shall also stand disposed of. There shall be no order as to costs.

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**A.RAJASHEKER REDDY, J**

Dated: 27-08-2019

Note: cc today.

(b/o)  
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**Date: 27-08-2019**

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