

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

WP(C).No. 14128 of 2015 (M)

PETITIONER :

SHABANA P.L.,
D/O.LATHEEF, AGED 28 YEARS,
2/745, (2/126B), CALVATHY, KOCHI, PIN-682 001

BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENT(S):

REGIONAL PASSPORT OFFICER,
SHIHAB THANGAL ROAD, PANAMPILLY NAGAR,
ERNAKULAM-680 036

*ADDL.R2 IMPEADED

*Addl.R2. AFSAL BAVA T., AGED 32 YEARS,
S/O.C.M.KHADEEJA, H.NO.XI/326, MUBARAK,
SRA 52, SOUHRDA NAGAR, VAZHAKKALA,
THRIKAKKARA P.O., KOCHI - 21.

*ADDL.R2 IS IMPEADED AS PER ORDER DATED 28.05.2015 IN IA.NO. 6938/15.

R1 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

sts

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE PASSPORT NO.K 2258029 ISSUED BY THE RESPONDENT IN FAVOUR OF THE PETITIONER.**
- P2 COPY OF THE PASSPORT NO. M4227385 ISSUED BY RESPONDENT IN FAVOUR OF THE PETITIONER'S FATHER.**
- P3 COPY OF THE PASSPORT NO. M4226445 ISSUED BY THE RESPONDENT IN FAVOUR OF THE PETITIONER'S MOTHER**
- P4 COPY OF THE AFFIDAVIT IN FORM C OF THE PASSPORT RULES PREPARED BY THE PETITIONER.**
- P5 COPY OF THE AFFIDAVIT IN FORM G OF THE PASSPORT RULES PREPARED BY THE PETITIONER.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. VINOD CHANDRAN, J.

W.P.(C) No. 14128 of 2015 (M)

Dated this the 3rd day of August, 2015

J U D G M E N T

The petitioner is aggrieved with the fact that the petitioner's application before the 1st respondent for a passport for her minor child by name Faizah Jian, 4 years of age, is not being considered.

2. The learned Assistant Solicitor General, on instructions, specifically states that there is no application filed as of now.

3. In any event, the learned counsel for the petitioner submits that even in the writ petition he has stated that on enquiry the respondent had specifically told the petitioner that no such passport would be issued without the consent of the father. The petitioner has also submitted before this Court that the petitioner has filed an application for divorce before the Family Court, Ernakulam, as O.P. No.1191/2013, and M.C. No.373/2014 has also been

filed for maintenance for herself and her minor daughter. The petitioner only needs the passport for taking the child for 'Hajj'. The father of the minor child was impleaded herein, but service could not be effected since the notice is returned with the endorsement 'left the place'.

4. In such circumstance, if the petitioner makes an application along with an affidavit in Annexure 'C' then the petitioner's minor child shall be issued with a passport of one year duration. The same shall be done expeditiously on the application being filed. It is also made clear that any further extension of the passport could be sought for from the Family Court, Ernakulam.

Writ Petition is disposed of.

Sd/-
K.VINOD CHANDRAN,
JUDGE