

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

WP(C).No. 18146 of 2015 (P)

PETITIONER :

**KANDATHIL PADAPPILAKATH MUHAMED NAWAS,
S/O. HASSANKUNHI THOTTATHIL, AGED 46 YEARS,
RESIDING AT FATHIMA GHAR, KANNOOKARA, THANA, KANNUR
REP. BY POWER OF ATTORNEY HOLDER AND
BROTHER KANDATHIL PADAPPILAKATH SIRAS
S/O. HASSANKUNHI THOTTATHIL, AGED 42 YEARS
RESIDING AT FATHIMA GHAR, KANNOOKARA,
THANA, KANNUR.**

BY ADV. SRI.K.RAJESH SUKUMARAN

RESPONDENT(S) :

- 1. UNION OF INDIA
REP. BY MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI.**
- 2. THE PASSPORT OFFICER
REGIONAL PASSPORT OFFICE, ERANHIPALAM
KOZHIKODE – 673 006.**

***ADDL. R3 IMPEADED**

***ADDL.R3. K.P.JARSHINA
D/O. ABDULLA KUNHI, AGED 35 YEARS
RESIDING AT NASEEB, NEAR R.K.U.P. SCHOOL, VALAPATTANAM
AZHIKODE AMSOM DESOM, KANNUR TALUK.**

***ADDL.R3 IS IMPEADED AS PER ORDER DATED 06.07.2015 IN IA 8423/15.**

**R1 & R2 BY ADV. SRI.N.NAGARESH, ASGI
R3 BY ADV. SRI.K.PABDUL RASSAK**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Mn

...2/-

WP(C).No. 18146 of 2015 (P)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1: COPY OF THE PASSPORT ISSUED IN FAVOUR OF THE PETITIONER.

**EXHIBIT P2: COPY OF THE AGREEMENT DATED 3.4.2004 EXECUTED BY THE WIFE
IN FAVOUR OF THE PETITIONER.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.18146/2015

Dated this the 30th Day of September, 2015

J U D G M E N T

The petitioner approached this Court to delete the spouse name of the petitioner in the passport based on a divorce agreement.

2. Respondents 1 and 2 have filed a statement. In para.3 of the statement it is stated as follows:

“It is submitted that the writ petitioner has not approached the 2nd respondent with a request to consider his application for deletion of spouse/wife name. If the petitioner approaches the 2nd respondent with proper documents namely, Certified copy of Divorce Decree/Court order or Divorce Certificate from Jamaat/Quazi or Talaqnama attested by a notary public his application would be considered.”

3. Therefore, if the petitioner produces the documents as stated in para.3 of the statement, appropriate action shall be taken by the Passport Authority for granting passport. It is to be noted that the third respondent has not objected to the request of the petitioner.

4. In view of the above, an order from the Court may not be insisted for deleting the name of the spouse of the petitioner in the passport of the petitioner.

The writ petition is disposed of as above. No costs.

Sd/-

(A.MUHAMED MUSTAQUE, JUDGE)