

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C).No. 20946 of 2015 (P)

PETITIONER:

**PRASHANTH SATHYAVAN, AGED 38 YEARS,
S/O.M.K.SATHYAVAN, RESIDING AT FLAT NO.103,
BHAGYAM, SAMRUDHI, PLOT NO.5, PANCHAYAT ROAD,
1ST CROSS STREET, PERUNGUDI, CHENNAI - 690 096.**

**BY ADVS.SMT.LEKHA SANKAR
SMT.P.P.BLESSY MOL**

RESPONDENT(S):

- 1. UNION OF INDIA,
REPRESENTED BY THE SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS,
NEW DELHI - 110 001.**
- 2. THE REGIONAL PASSPORT OFFICER,
PASSPORT OFFICE BUILDINGS,
PANAMPILLY NAGAR P.O, KOCHI - 682 036.**
- 3. SINDHU GEORGE, AGED 33 YEARS,
VELIYANNOOR HOUSE, EAST VAZHAPPILLY,
MUVATTUPUZHA, ERNAKULAM - 686 673,
PRESENTLY RESIDING AT FLAT NO.9B,
DD SILVER STONE APARTMENTS, VADUTHALA,
ERNAKULAM DISTRICT.**

R1 & R2 BY ADV. SRI.N.NAGARESH, A S G OF INDIA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 20946 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1- TRUE COPY OF THE JUDGMENT IN WP(C) NO.35380/14 DATED 10.4.2015.**
- P2- TRUE COPY OF THE ENTIRE SET OF THE WRIT APPEAL AND ITS ANNEXURES WA.NO.900/15.**
- P3- TRUE COPY OF MEMORANDUM OF W.A.NO.908/15.**
- P4- TRUE COPY OF THE ORDER IN IA NO.1498/15 IN OP NO.690/15 OF THE FAMILY COURT, ERNAKULAM.**
- P5- TRUE COPY FO THE MEMORUANDUM OF APPEAL IN MAT APPEAL NO.442/15.**
- P6- TRUE COPY OF THE JUDGEMENT IN W.A.NO.900/2015 AND 909/15 OF THIS HONOURABLE COURT DATED 1.6.15.**
- P7- TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER WITH COVERING LETTER TO THE 2ND RESPONDENT DATED 11.6.15.**
- P8- TRUE COPY FOTHE ORDERS OF THE 2ND RESPONDENT DATED 15.6.15.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.20946 of 2015

Dated this the 17th day of September, 2015

JUDGMENT

The petitioner, challenging Ext.P8 order of the Passport Officer, has approached this Court.

2. It is to be noted that Ext.P8 is issued pursuant to the directions of the common judgment of this Court in W.A.Nos.900/2015 and 908/2015 and after considering the order of the Family Court.

3. In this matter, a counter affidavit has been filed by respondents 1 and 2. In paragraphs 4 and 5, it is stated as follows:

“On perusal of the Hon'ble High Court judgment, Hon'ble Family Court orders and on the basis of legal opinion received and after hearing both Shri.Sindhu George and Shri.Prashanth Sathyavan, it has been decided to issue passport to Kum.Archana Prashanth, on the following conditions:

- i) Smt.Sindhu George will abide by the order dated 24.4.2015 of the Hon'ble Family Court, Ernakulam in I.A.No.1498/15 in O.P.No.90/2015 regarding visitation right to

Shri.Prashanth Sathyavan, the father of the minor child Kum.Archana Prashanth.

- ii) Smt.Sindhu George will abide by the conditions, if any, set in the final order in O.P.No.690/2015, pending before the Hon'ble Family Court, Ernakulam.

Accordingly on submission of the affidavit by Smt.Sindhu George, sworn before the First Class Judicial Magistrate, Muvattupuzha, agreeing the above conditions, passport Number N0375873 dated 01.07.2015 valid upto 30.06.2020 was issued to Kum.Archana Prashanth and the same has been despatched by speed post on 07.07.2015.”

In view of the above, the petitioner is free to bring to the notice of the Family Court as well as the Passport Authority any violation of conditions. There is no infirmity with the order passed for issuance of Passport. With the above observations, this writ petition is dismissed.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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