

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 27463 of 2015 (G)

PETITIONER :

**NAYAF FAISAL, AGED 31 YEARS,
S/O. FAISAL AHMED, KALARICKAL HOUSE,
KANJIRAPPALLY.P.O., KOTTAYAM DISTRICT.**

**BY ADVS.SRI.P.A.MOHAMMED SHAH
SRI.SOORAJ T.ELENJICKAL
SMT.P.M.MAZNA MANSOOR**

RESPONDENT(S):

- 1. THE REGIONAL PASSPORT OFFICER,
PASSPORT OFFICE, PANAMPILLY NAGAR.P.O., COCHIN,
KERALA-682 036.**
- 2. ASSISTANT PASSPORT OFFICER,
PASSPORT SEVA KENDRA, 4 SQUARE PLAZA, M.C ROAD,
OPP. MAHADEVA TEMPLE,
MATHRUBHUMI-NAGAMPADAM TEMPLE RD., NAGAMPADAM,
KOTTAYAM, KERALA-686 001.**
- 3. SHAMNA.T.H., AGED 23 YEARS,
D/O. T.M. MOHAMMED HARRIS, THATTARATHUPARAMBIL HOUSE,
EDAVANAKKAD, ERNAKULAM, NOW RESIDING AT FAHAD MANZIL,
CHALIKKAVATTOM, VENNALA.P.O., ERNAKULAM,
PIN-682 028.**

R1 & R2 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

R3 BY ADVS. SRI.BABU KARUKAPADATH

SMT.M.A.VAHEEDA BABU

SRI.K.A.NOUSHAD

SRI.P.U.VINOD KUMAR

SRI.MITHUN BABY JOHN

SRI.J.RAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 16-09-2015,ALONG WITH WP(C).NO.27960 OF 2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1. TRUE COPY OF THE RELEVANT PAGES OF PASSPORT NO. K8460649.
- EXT.P2. A COPY OF THE AGREEMENT SIGNED BY BOTH THE PARTIES.
- EXT.P3. A COPY OF THE CERTIFICATE FROM MUHIYADEEN JUMA MASJID DATED 21-8-2015.
- EXT.P4. TRUE COPY OF THE MARRIAGE CERTIFICATE DATED 19-01-2015.
- EXT.P5. TRUE COPY OF THE JUDGMENT DATED 04-08-2015 IN W.P.(C) 18489 OF 2015.

RESPONDENT(S)' EXHIBITS AND ANNEXURES:

- ANNEX R1(A) COPY OF THE LETTER DATED 16/12/2014 ISSUED BY THE REGIONAL PASSPORT OFFICER, REGIONAL PASSPORT OFFICE, KOCHI ALONG WITH CLARIFICATION DATED 23/12/2014 FROM ASSISTANT PASSPORT OFFICER (PV-1), MINISTRY OF EXTERNAL AFFAIRS, NEW DELHI
- ANNEX R1(B) COPY OF THE LETTER DATED 02/12/2006 ISSUED BY LAW SECRETARY, GOVERNMENT OF KERALA, LAW (E) DEPARTMENT AND ADDRESSED TO THE PASSPORT OFFICER, PASSPORT OFFICE, TRIVANDRUM
- ANNEX R1(C) COPY OF THE REMINDER DATED 19/08/2014 ISSUED BY REGIONAL PASSPORT OFFICER, KOCHI TO THE LAW SECRETARY
- ANNEX R1(D) COPY OF THE LETTER DATED 05/12/2014 ISSUED FROM THE LAW DEPARTMENT, THIRUVANANTHAPURAM,
- ANNEX R1(E) COPY OF THE LETTER DATED 01/03/2010 ISSUED BY THE PRINCIPAL SECRETARY, GOVERNMENT OF KERALA

/TRUE COPY/

P.A.TO JUDGE

A.MUHAMED MUSTAQUE, J.

W.P.(C) Nos.27463 & 27960 of 2015

Dated this the 16th day of September, 2015

JUDGMENT

These writ petitions are filed by the wife and husband who are separated by a divorce.

2. Both parties admit that they have been divorced. They got divorced by the Talaque pronouncement by the writ petitioner in W.P.(C) No.27463/2015. Both require changes in the entry regarding the spouse name in the Passport held by them.

In view of the fact that both parties admit before this Court that they got separated by the talaque, this Court is of the view that the Passport Authority shall consider the applications of the petitioners for changing the spouse name and other details in accordance with law. The Passport Authority shall also take appropriate action to enter the present spouse name in the Passport on being satisfied with the marriage certificate.

The writ petitions are disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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