

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

WP(C).No. 28979 of 2015 (V)

PETITIONER(S) :

**HUSSAIN, S/O.MOIDEENKUTTY,
NOW RESIDING ON VISITING VISA AT VARIKKOTTIL HOUSE,
OMACHAPUZHA.P.O., MANALIPUZHA, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.BABU S. NAIR
SRI.R.RANJITH (K/489/2011)**

RESPONDENT(S) :

- 1. THE UNION OF INDIA,
REPRESENTED BY THE SECRETARY,
MINISTRY OF HOME AFFAIRS, NEW DELHI, PIN-110 001.**
- 2. THE FOREIGNERS REGISTRATION OFFICER,
DISTRICT POLICE CHIEF, MALAPPURAM, PIN-676 505.**
- 3. THE DEPUTY SUPERINTENDENT OF POLICE(SPECIAL BRANCH),
MALAPURAM DISTRICT, PIN-676 505.**
- 4. THE SUB INSPECTOR OF POLICE,
TANUR POLICE STATION, MALAPPURAM DISTRICT, PIN-676 302.**
- 5. THE STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695 001.**

**R1 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
ADV. SRI.SUVIN R.MENON, CGC
R2 TO R5 BY GOVERNMENT PLEADER SMT.C.K.SHERIN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 07-12-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1: TRUE COPY OF THE EXTRACT OF THE SCHOOL ADMISSION REGISTER OF THE PETITIONER.**
- P2: TRUE COPY OF THE MARRIAGE CERTIFICATE ISSUED BY THE VENNIYOOR MAHALLU COMMITTEE DATED 09-06-2015.**
- P3: TRUE COPY OF THE RATION CARD ISSUED TO THE PETITIONER'S FAMILY**
- P4: TRUE COPY OF THE ELECTION IDENTITY CARD ISSUED BY THE PETITIONER'S WIFE BY THE ELECTION COMMISSION OF INDIA.**
- P5: TRUE COPY OF THE IMMIGRATION SHEET ISSUED TO THE PETITIONER FROM PAKISTAN HIGH COMMISSION.**
- P6: TRUE COPY OF THE RESIDENTIAL PERMIT ISSUED FROM AMRITSAR TO THE PETITIONER DATED,21-05-2015.**
- P7: TRUE COPY OF THE APPLICATION FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT UNDER SECTION 9(2) OF THE CITIZENSHIP ACT DATED,19-06-2015.**
- P8: TRUE COPY OF THE ACKNOWLEDGMENT CARD EVIDENCING THE RECEIPT OF EXHIBIT P7 BY THE 1ST RESPONDENT DATED,04-07-2015.**
- P9: TRUE COPY OF THE JUDGMENT DATED,29-06-2015 IN W.P.(C).NO.18958/2015 OF THIS HON'BLE COURT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.28979 of 2015

Dated this the 7th day of December, 2015

JUDGMENT

The petitioner has approached the first respondent under Section 9(2) of the Citizenship Act, 1955. Ext.P7 is the application. The limited request made before this Court is that an expeditious disposal on Ext.P7 application and to defer coercive steps till a decision is taken on such application.

2. Considering the facts and circumstances, there shall be a direction to the first respondent to dispose Ext.P7 application within a period of three months after issuing notice to the petitioner. Till a decision is taken on such application, coercive steps against the petitioner shall be deferred on the following conditions:

- i. The petitioner is directed to report before the second respondent on 1st monday of every month, starting from January, 2016.

- ii. If the application is rejected, the same shall be communicated to the petitioner within two weeks from the date of passing of such order and the petitioner shall not be deported for a further period of two weeks to enable him to work out his remedy.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In

The date “**January, 2015**” occurring in paragraph 2(i) of the judgment dated 07/12/2015 in W.P.(C) No.28979/2015 is corrected and substituted as “**January, 2016**” vide order dated 15.1.2016 in I.A.572/2016 in W.P.(C) No.28979/2015.

Sd/-

Registrar (Judicial)