

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 22-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.16630 OF 2015
and M.P.No.1 of 2015.

Swarna Mallika

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Petitioner

-vs-

- 1.The District Collector,
Tiruppur District.
 2. Secretary to Government,
Home Department,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai-600 009.
 3. The Secretary to Government of India,
Ministry of Home Affairs,
Jaisalmer House,
26, Mansingh Road,
New Delhi - 110 011.
- Respondents

Respondent 3 is impleaded
as per order, dated 22.06.2015, made
in M.P.No.2 of 2015.

Writ Petition has been filed, praying for issuance of a writ of mandamus, directing the respondents to consider the petitioner's representation, dated 08.09.2014, and pass orders thereon.

For petitioner : Mrs.A.Madhumathi

For respondents 1 & 2 : Mr.M.Digvijaya Pandian,
Addl.Govt.Pleader.

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. According to the petitioner, she is a Sri Lankan national and got married to one Krishnan, who is an Indian citizen, in the year 1993, at Dubai, and two children were born to them.

3. The further case of the petitioner is that her husband got converted to Islam and named himself as Abdul Rahaman and both the children are holding Indian Passport and, she, being a Sri Lankan national, got the Visa periodically renewed, and submitted a representation, dated 08.09.2014, to the first respondent, praying for conferment of Indian citizenship and, since she has not been favoured with any response, she has moved this Court, by way of this Writ Petition.

4. Learned counsel for the petitioner would submit that the petitioner came to India on 23.05.2005 and is residing in India for the last ten years, as a result of which, she has become an Indian citizen; therefore, there may not be any impediment for the respondents to grant her Indian citizenship, and, accordingly, she prays for appropriate orders.

5. Mr.M.Digvijaya Pandian, learned Additional Government Pleader, appearing for respondents 1 and 2, by producing a letter of the District Collector, Tiruppur, in Rc.No.13936/2014/C2, dated -.06.2015, would submit that the application for registration as a citizen of India shall be under Section 5 (1) (c) of the Indian Citizenship Act, as per which, the petitioner must apply online, and the remedy open to the petitioner is to follow the said process, regarding her request.

6. In view of the above facts and circumstances, the petitioner is at liberty to file an application online for registration of citizenship of India under Section 5 (1) (c) of the Indian Citizenship Act, in which event, the authority/respondent concerned shall consider the case of the petitioner and pass orders in accordance with law, as expeditiously as possible, and communicate the decision taken thereon to the petitioner.

7. Writ Petition is disposed of accordingly. No costs. Consequently, the connected M.P.No.1 of 2015 is closed.

dixit

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
Tiruppur District.

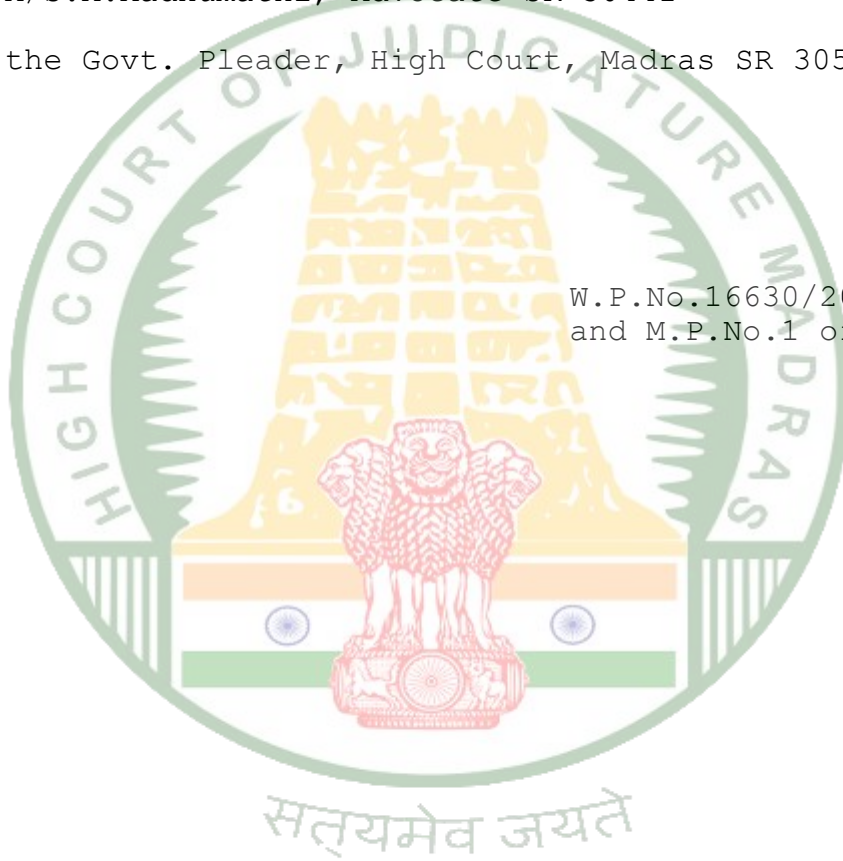
2. Secretary to Government,
Home Department,
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Secretariat, Fort St.George,
Chennai-600 009.

3. The Secretary to Government of India,
Ministry of Home Affairs,
Jaisalmer House,
26, Mansingh Road,
New Delhi - 110 011.

+ 1 cc to M/s.A.Madhumathi, Advocate SR 30441

+ 1 cc to the Govt. Pleader, High Court, Madras SR 30579

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W.P.No.16630/2015
and M.P.No.1 of 2015

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