

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.5850 of 2015

Latha Sadayapillai,
W/o. Kapilan Ganesan,
No.5/422, Agathiyar Salai,
J.J.Nagar, Mogappair East,
Chennai - 600 037.

.... Petitioner

Versus

1. Union of India,
Rep. by its Secretary to Government,
Government of India,
Ministry of External Affairs,
New Delhi.

2. The Regional Passport Officer,
Ministry of External Affairs,
Government of India,
Royala Towers, Mount Road,
Chennai - 600 002.

.... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the 2nd respondent to renew the Indian Passport for the petitioner's minor son K. Vasikaran vide File No.MA1067300825513 dated 07.11.2013.

For Petitioner : Mr.Naveen Kumar Murthi

For Respondents : Mr.K.Mohana Murali SPC

ORDER

Heard Mr.Naveen Kumar Murthi, learned counsel for the petitioner and Mr.K.Mohana Murali, learned counsel appearing for the respondents and with the consent of either side, the writ petition itself is disposed of.

2. The petitioner seeks for renewal of the Indian Passport issued to the petitioner's minor son K.Vasikaran vide File No.MA1067300825513 dated 07.11.2013. The petitioner is said to have

been married Mr.Kapilan Ganesan on 06.03.2003 and out of the marriage, the minor son K.Vasikaran was born on 06.06.2005 at Chennai. It is stated that the petitioner's husband was born in Sri Lanka and during 1992, he had shifted to Chennai and studied in the school at Chennai and thereafter, the marriage between the petitioner and her husband is said to have been taken place at Chennai. Subsequently, the petitioner's husband stated to have left to Sri Lanka and now he is said to reside in France. It appears that the petitioner's husband with Sri Lankan Passport left to France and is living there.

3. The petitioner desires to visit her husband along with her minor son, for which, she had filed an application for renewal of Passport of her minor son. Admittedly, there is no allegation against the petitioner and her minor son. Therefore, the 2nd respondent should consider the request for renewal of Passport in accordance with the provisions of the Passport Act and Rules thereunder.

4. Accordingly, there shall be a direction to the 2nd respondent to consider the application for renewal of the petitioner's minor son's Passport in accordance with the Passport Act and Rules thereunder, within a period of three weeks from the date of receipt of this order, if not otherwise disposed of.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm/gya

To

1. The Secretary to Government,
Union of India,
Government of India,
Ministry of External Affairs,
New Delhi.

2. The Regional Passport Officer,
Ministry of External Affairs,
Government of India,
Royala Towers, Mount Road,
Chennai - 600 002.

+ 1 cc to M/s. K.Mohanamurali, Advocate Sr.11909

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BR(CO)

Eu 17.03.15