

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and
The Hon'ble Smt. Justice Kongara Vijaya Lakshmi

Writ Petition No.1784 of 2017
and
Writ Petition No.12373 of 2018

Date: 07.08.2018

W.P.No.1784 of 2017:

Between:

Podapati Akshara & another, rep. by their
Natural guardian, mother Mrs. Podapati Tulasi @
Tanikonda Tulasi

... Petitioner

and

The Principal Secretary (Home),
State of A.P., Secretariat Buildings, Velagapudi
Guntur District, Andhra Pradesh State & 6 others

...Respondents

W.P.No.12373 of 2018:

Between:

Podapati Akshara & another, rep. by their
Natural guardian, mother Mrs. Podapati Tulasi @
Tanikonda Tulasi

... Petitioner

and

Union of India,
Ministry of Home & External Affairs,
Rep. by its Secretary, Department of
Bureau of Immigration (MHA)
New Delhi-110001 & 6 others

...Respondents

Counsel for the Petitioner:

Smt. Podapati Tulasi @
Tanikonda Tulasi,
(Her counsel not appeared in both
Writ Petitions)

Counsel for the respondents:

Sri P. Venugopal, Senior counsel
for Respondent No.4
AGP attached to AG (AP)
for Respondent Nos.1, 2 & 5
(WP No.1784 of 2017)
Sri P. Venugopal, Senior counsel
for Respondent No.7
AGP attached to AG (AP)
for Respondent Nos.3, 4 & 6
(WP No.12373 of 2018)

The Court made the following:

COMMON ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

These two Writ Petitions are filed by Mrs. Podapati Tulasi @ Tanikonda Tulasi, on behalf of her two minor children claiming to be their mother and natural guardian. The respective prayers in these two Writ Petitions are as follows:

WP No.1784 of 2017:

“to issue a writ of mandamus declaring the action of the respondent No.2 in not extending the Visa which was about to expire on 26.01.2017 of petitioner's minor children namely P.Akshara, aged 7 years and P.Ashvak, aged 4 years, as the petitioner being natural guardian/mother, as illegal, arbitrary and violation of Article 14, 21 of Constitution of India and consequently direct the 2nd respondent to consider the representation of petitioner dated 10.10.2016 and pass such other orders.”

W.P.No.12373 of 2018:

“to issue a writ of mandamus declaring the action of the respondents in not granting OCI cards to P.Akshara, aged 8 years and P.Ashvak, aged 5 years, as their VISA's were extended from 27.1.2018 to 26.1.2019 on the representation of their mother and natural guardian dt.18.12.2017, as illegal, arbitrary and violation of Article 14, 21 of Constitution of India and consequently direct the respondents to grant OCI cards to them by considering the representation of their mother dated 18.12.2017 and pass such other orders.”

Though, these two Writ Petitions are in the roster of a learned Single Judge, we have thought it proper to call them to our Bench for disposal on the request of the said Tulasi and her husband, Respondent No.7 in W.P.No.12373 of 2018 in the back drop of the settlement of the disputes between them.

By a separate order passed by us in W.P.No.20981 of 2018 today, we have placed on record the affidavits of both the parties, wherein they have agreed to live together and lead happy marital life along with their two minor children. During the hearing of the said Writ Petition, a request was made by both of them to call for these two Writ Petitions also and close the same, as they have decided to live together happily.

At the hearing, both the spouses i.e., Podapati Tulasi @ Tanikonda Tulasi, representing the minor petitioners, and Podapati Keshava Rao are personally present and they reiterated their request for closing these writ petitions.

In the above facts and circumstances of the case, both the Writ Petitions are disposed of as infructuous.

As a sequel thereto, I.A.No.2042 of 2017 and W.V.M.P.No.2012 of 2017 in W.P.No.1784 of 2017 and I.A.No.1 of 2018 in W.P.No.12373 of 2018, are disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Kongara Vijaya Lakshmi, J)

Date: 07.08.2018
BSS/NSR

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