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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1544/2019**

SETHURAMAN KRISHNASAMY THIRUMALAISAMY
AND ANR. Petitioners

Through Mr Dhiraj A. Philip, Mr Febin M.
Varghese, Advocates.

versus

UNION OF INDIA AND ORS. Respondents

Through Mr Akshay Makhija, CGSC with
Mr Kavindra Gill, Ms Seerat Deep Singh,
Mr Ankit Tyagi, Advocate for R1 to R3.
Ms Arti Bansal, Ms Madhuri Dhingra,
Advocates for DDA.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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25.02.2019

CM APPL. 7130/2019

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 1544/2019 & C.M. No. 7129/2019

3. The petitioners have filed the present petition, *inter alia*, seeking several reliefs, including a direction to the respondents to decide their respective applications, for being registered as Overseas Citizen of India (OCI) Cardholders.
4. The petitioners are Indian citizens and had sought asylum in the United States of America (USA). Their application was accepted and they were granted US Citizenship in July, 2013.
5. The petitioners applied for registration as Overseas Citizens of

India with respondent no.3 (Consulate General of India- Houston). The petitioners state that despite fulfilling all the requisite conditions, their applications have not been processed. Petitioner no.1 states that he suffers from a condition known as Vitiligo, which results in loss of skin pigmentation. He had sought asylum in USA due to his medical condition. It is the petitioner no. 1's case that he was being treated as untouchable on account of his condition. In view of the social distress and ostracism, he and his family applied for asylum.

6. The petitioners, after securing the citizenship of USA, applied for OCI card to visit their family in India. It is one of the petitioners' grievance that the said application has not been decided as yet. It is contended that the petitioners' applications have not been considered on an erroneous assumption that the petitioners had applied for a political asylum.

7. In view of the above, the respondents are directed to consider the petitioners' applications as expeditiously as possible. In the event, the respondents decide not to issue an OCI Card to the petitioners, the concerned authority shall pass a speaking order, indicating the reasons and communicate the same to the petitioners as expeditiously as possible and in any event, not later than eight weeks from today.

8. All contentions of the parties are reserved.

9. The petition is disposed of in the aforesaid terms. The pending application is disposed of.

VIBHU BAKHRU, J

FEBRUARY 25, 2019/pkv