

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2020

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.2091 of 2020

Master Nishanth Rowan Simham

Aged about 12 years,

represented by Natural Guardian & Mother

S.Mary Krupa Sirisha

aged about 40 years,

No.511, Sangam Apartment,

No.159, Beracah Road,

Kilpauk,

Chennai - 600 010

.... Petitioner

vs

1. The Regional Passport Officer,
Royala Towers Nos. 2 & 3,
IV Floor, Old No.785, New No.158,
Anna Salai, Chennai - 600 002.

2. The Passport Seva Kendra,
Regional Passport Office,
Navins Presidium,
No.103, Nelson Manickam Road,
Aminjikarai,
Chennai - 600 029.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to forthwith renew the petitioner's Passport No.M7666097 vide Application Reference No.20-1000167463 dated 06.01.2020 on the file of II respondent without insisting for the consent of the petitioner's father.

For Petitioner : Mr.R.Natarajan

For Respondents : Mr.K.Raju,
Central Government Standing
Counsel

O R D E R

The petitioner seeks for a Mandamus to direct the respondents to forthwith renew the petitioner's Passport No.M7666097 vide Application Reference No.20-1000167463 dated 06.01.2020 on the file of II respondent without insisting for the consent of the petitioner's father.

2. Heard both sides.

3. The petitioner as a mother and natural guardian of her minor son applied for renewal of the passport of her minor son, by name Nishanth Rowan Simham, on 06.01.2020. As the said application was not considered favourably so far, the petitioner has filed the present writ petition.

4. It is her case that she got separated from her husband by way of decree for divorce issued by the II Additional Family Court, Chennai dated 28.10.2013 and however, while filling up Annexure-C Form filed along with renewal application, she has inadvertently marked Column-A. Therefore, it is contended by the petitioner that the respondents may be directed to consider her application, based on a fresh form namely Annexure-C to be filed by the petitioner within the time stipulated by this Court.

5. Learned counsel appearing for the respondents submitted that the petitioner has not given correct details in Annexure-C form and on the other hand, she claims to have obtained divorce decree. Therefore, unless correct form is filed, the respondents will not be in a position to consider her application.

6. Considering the above stated facts and circumstances, this Writ Petition is disposed of by permitting the petitioner to file fresh Annexure-C form before the 1st respondent within a period of two weeks by enclosing necessary documents. On receipt of such fresh Annexure-C form with enclosures, the respondents will consider the request of the petitioner for renewal of the passport of her minor son and pass appropriate orders on merits and in accordance with law within a period of four weeks thereafter. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vsi
To

1. The Regional Passport Officer,
Royala Towers Nos. 2 & 3,
IV Floor, Old No.785, New No.158,
Anna Salai, Chennai - 600 002.

2. The Passport Seva Kendra,
Regional Passport Office,
Navins Presidium, No.103, Nelson Manickam Road,
Aminjikarai, Chennai - 600 029.

+1cc to Mr.K.Raju , Advocate SR.No. 21482

+1cc to Mr.B.Natarajam , Advocate SR.No. 21744

W.P.No.2091 of 2020

A.SK(12/03/2020)



WEB COPY