



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.38801 of 2016

and

W.M.P.No.33260 of 2016

1.Fathima Anushiya

2.Mohamed Hashan

Minor aged about 12 years and
represented by Mother and
Natural Guardian
both residing at
14/26, North Mugamathiar Street,
Pennadam, Tittakudi Taluk,
Cuddalore District.

... Petitioners

Vs

Immigration Officer,
Bureau of Immigration,
Regional passport Office,
Cuddalore.

(R1 - Amended as per order dated 29.11.2016
in W.M.Ps.34495 & 34496/2016
in W.P.No.38801/2016)

...Respondent

PRAYER : Writ Petition filed Under Article 226 of the
Constitution of India, to issue a writ of Mandamus, directing
the respondent herein to consider and dispose of the application
ID Number 17101635MBP2 and ID Number 17 10 16 2 R 8YYO in
accordance with law expeditiously.

For Petitioners : M/s.Jayasudha SuryaNarayanan

For Respondent : Mr.C.V.Ramachandramurthy

O R D E R

The relief sought for in the present Writ Petition is to
direct the respondent to consider and dispose of the application
ID Number 17101635MBP2 and ID Number 17 10 16 2R 8YYO.

2. The petitioner states that she is a Srilankan citizen and
was working in Kuwait. She was not residing with her husband



during such stay. The second petitioner was born to the petitioner out of the wedlock with her first husband. In view of the fact that the first husband did not take care of the petitioner and her son, she had to work and take care of her son. The petitioner took a decision to withdraw from the marriage and gave Kula, which was also registered on 30.01.2014. She got married one Mr. John Basha, who is a resident of Pennadam at Cuddalore. After marriage, she had been residing with her husband along with her son. It is stated that the petitioner's Visa as well as her sons Visa had expired on 19.10.2016. Before expiry, the petitioner had applied for grant of fresh Visa for a period of one year as the Citizenship Act envisages that only if the petitioner resides with her husband for a period of two years at least in India.

3. Now, the said circumstances did not exist as of now, on account of the fact that the writ petition is pending for the past about five years. If the Visa was already extended or not, is also not placed before this Court. However, if the petitioner is having any grievance in this regard, she is at liberty to approach the competent authorities by filing a fresh application in the manner known to law.

4. With these observations the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

nti/kak
To

The Immigration Officer,
Bureau of Immigration,
Regional passport Office,
Cuddalore.

+lcc to Mr.G.Suryanarayanan, Advocate Sr.49194

W.P.No.38801 of 2016

rsi[co]
srg 05/10/2021