

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2021

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.17280 of 2020

Ram Venuprasad
Currently at:
40 Fisher-Point Drive,
Auckland 1010,
New Zealand.

Having permanent residence at:
"Samarpan", No.39, 3rd Street,
3rd Main Road, VGP Golden,
Sea View, Part-3, Palavakkam,
Chennai - 600 041.

... Petitioner

Vs.

1.The Passport Section,
High Commission of India,
India House, Aldwych,
London WC2B 4NA,
United Kingdom,
Rep. by Counsellor (Passport & OCI)

2.Regional Passport Office,
Royala Towers, Anna Salai,
Chennai - 600 002.

3.Union of India, rep by
Ministry of External Affairs,
New Delhi - 110 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the 1st respondent to consider the representation of the petitioner dated 13.08.2020, re-issue the passport of Miss Tara Vaishnavi Prasad including the name of petitioner as the father.

For Petitioner : Mrs.R.S.Akila

For Respondents : Mr.J.Madhanagopal Rao
CGSC

O R D E R

This writ petition has been filed for a mandamus seeking for a direction to the first respondent to consider the petitioner's representation dated 13.08.2020 seeking for re-issuance of Passport of Miss Tara Vaishnavi Venuprasad, a minor which includes the name of the petitioner as the father of Miss Tara Vaishnavi Venuprasad and pass final orders within a time frame to be fixed by this Court.

2.It is the case of the petitioner that he and his wife are having marital disputes and they are living separately. The petitioner is presently living in New Zealand and his wife is presently living in London and they have got a child by name Miss Tara Vaishnavi Venuprasad who was born on 09.01.2013 and is aged about 7 years.

3.Miss Tara Vaishnavi Venuprasad, the minor child of the petitioner was issued with the Passport by the first respondent on 01.04.2013 which got expired on 31.03.2018. The petitioner's wife Mrs.Shilpa Pillai with whom he is having marital dispute, applied for renewal of the passport with the first respondent at London. On 06.03.2020, the petitioner received an E-mail response from the first respondent stating that the existing passport particulars of Miss Tara Vaishnavi Venuprasad, which includes the name of the petitioner as her father will be maintained in the renewed passport to be issued by the first respondent. The petitioner by his E-Mail dated 09.03.2020 & 25.05.2020 has also given his concurrence to the first respondent for renewing the passport of Miss Tara Vaishnavi Venuprasad incorporating the existing particulars. Since the passport of Miss Tara Vaishnavi Venuprasad was not renewed, despite assurance made by the first respondent, the petitioner has given one more representation on 13.08.2020 to the first respondent requesting them to issue passport for Miss Tara Vaishnavi Venuprasad. Since the representation of the petitioner has not been considered till date, this writ petition has been filed.

4.Heard Mrs.R.S.Akila, learned counsel for the petitioner and Mr.J.Madhanagopal Rao, learned CGSC for the respondents 1 to 3.

5.The relief sought for in this writ petition is an innocuous one. Admittedly, the petitioner's wife Mrs.Shilpa Pillai has applied for renewal of Passport for her minor daughter Miss Tara Vaishnavi Venuprasad with the first respondent.

6. Admittedly, the application seeking for renewal of Miss Tara Vaishnavi Venuprasad's passport has not been considered till date. No prejudice will be caused to the respondents, if the application submitted by the petitioner's wife Mrs. Shilpa Pillai for renewal of Miss Tara Vaishnavi Venuprasad's passport is considered by the first respondent on merits and in accordance with law expeditiously.

8. For the foregoing reasons, this Court directs the first respondent to consider the application dated 22.11.2019 submitted by the petitioner's wife Mrs. Shilpa Pillai with the first respondent seeking for renewal of Miss Tara Vaishnavi Venuprasad's passport as well as representation dated 13.08.2020 given by the petitioner requesting the first respondent to renew the passport as per the existing passport particulars without any addition or deletion and pass final orders on merit and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

9. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

pam

To

1. The Counsellor (Passport & OCI)
Passport Section,
High Commission of India,
India House, Aldwych,
London WC2B 4NA,
United Kingdom.

2. Regional Passport Office,
Royala Towers, Anna Salai,
Chennai - 600 002.

3. The Ministry of External Affairs,
Union of India,
New Delhi - 110 001.

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srg 17/02/2021