



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.27252 OF 2021

Sunayanaa Sridharan

...Petitioner

Vs.

1.The Director (Citizenship)
Foreigners Division,
Ministry of Home Affairs,
Government of India,
New Delhi.

2.The Joint Secretary,
Foreigners Division,
Ministry of Home Affairs,
Government of India,
New Delhi.

3.The District Collector,
Chennai District,
Chennai.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or other appropriate writ or order in the nature of writ directing the respondents 1 and 2 to grant Citizenship of India to the petitioner by processing her duly submitted Application in MHA File No.2019060114 on 17.08.2019 in accordance with the provisions of Section 5(1)(g) of the Citizenship Act 1955, under Form No.VII of the Citizenship Rules 2009.

For Petitioner : Mr.N.Suresh

For Respondents R1 & R2 : Mr.N.Ramesh
Senior Panel Counsel

For Respondent R3 : Mr.K.Karthikeyan
Government Advocate



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the respondents 1 and 2 to consider the petitioner's Application dated 17.08.2019 and to grant Citizenship of India to her in accordance with the provisions of Section 5(1)(g) of the Citizenship Act 1955, within the time frame fixed by this Court.

2. The case of the petitioner is that she was born in Kolkatta in the year 1997 and later, the petitioner along with her family members got settled in Australia during 2002 to 2008 and have also acquired Australian Citizenship. Thereafter, in the year 2008, the petitioner along with her family returned to India and residing in Tamilnadu for more than 13 years. Therefore, the petitioner applied for grant of Citizenship of India vide Online Application in MHA File No.2019060114 on 17.08.2019 along with all requisite fee under Section 5(1)(g) of the Citizenship Act 1955 and the verification was also completed on 02.10.2019 and the petitioner has also signed the oath of allegiance and the same was forwarded by the 3rd respondent to the State Government on 18.05.2021 and the State Government in turn forwarded the petitioner's application along with the recommendation and the report of Collector to the Central Government and the Ministry of Home Affairs, New Delhi, acknowledged the receipt of application on 27.07.2021. However, till date the application was not processed and the petitioner is not provided with her Citizenship of India. Hence, this Writ petition.

3. The learned counsel for the petitioner submitted that the petitioner filed an application for grant of Citizenship of India in the year 2019 and the same was verified, the oath was administered and after completion of all formalities, it was forwarded to the Central Government and the same was acknowledged by the Ministry of Home Affairs on 27.07.2021 and thereafter, it was not processed further and the petitioner has escalated her grievance to the Ministry of Home affairs on 09.10.2021 and for which she received a reply stating that the online application has been received and is under consideration, however the petitioner was not granted with the Citizenship and she is waiting for it for more than two years. He further submitted that, it would suffice if this Court issues direction to the 1st and 2nd respondent to process the petitioner's Citizenship Application as early as possible.

4. The learned Senior Panel Counsel appearing for 1st and 2nd respondents fairly conceded that the petitioner's application dated 17.08.2019 will be considered in the light of Provisions of Section 5(1)(g) of the Citizenship Act 1955 and appropriate



orders will be passed in accordance with law within the time stipulated by this Court.

5. In view of the above submissions made by the learned counsel on either side, this Court without going into the merits of the case, issues direction to the 1st and 2nd respondents to consider the petitioner's application dated 17.08.2019 in the light of Provisions of Section 5(1)(g) of the Citizenship Act 1955, under Form No.VII of the Citizenship Rules 2009 and pass appropriate orders in accordance with law as expeditiously as possible.

6. This Writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

skt

To

1.The Director (Citizenship)
Foreigners Division,
Ministry of Home Affairs,
Government of India,
New Delhi.

2.The Joint Secretary,
Foreigners Division,
Ministry of Home Affairs,
Government of India,
New Delhi.

3.The District Collector,
Chennai District,
Chennai.

+1cc to M/s.N.Suresh, Advocate Sr.No.68947

+1cc to the Government Pleader Sr.No.69557

W.P.No.27252 of 2021

SRA (CO)
RVM(27/01/2022)