



WEB COPY



W.P. No.20057 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2024

CORAM:

THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN

W.P. No.20057 of 2022

Sanoha Raja

.... Petitioner

vs.

The Regional Passport Officer,
Regional passport Office,
1st Floor, Corporation Commercial Complex,
Avinashi Road,
Coimbatore-641 018.

.... Respondent

Prayer : Writ Petition is filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondent to pass orders regarding issuance of passport to the petitioner vide File No.CB1060282322717 on the basis of the representation dated 20.06.2022.

For Petitioner : Mr.N.R.Jasmine Padma

For Respondent : Mr.Prasad Vijayakumar



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ORDER

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2. The petitioner was born in Srilanka on 16.06.1989. Thereafter, he came to India on 25.05.2009 based on the Srilankan passport. She got married the Indian during the year 2010. Thereafter, she gave birth to two children in India. She applied for passport as if she is a citizen of India. However, the passport authority issued passport to the petitioner on verification of her marriage certificate and Aadhar Card and Election Commission Identity Card . When the petitioner, travelled from India to Srilanka she was caught by the immigration authority of Srilanka and informed the same to Indian Passport Authorities, it resulted in registration of FIR in Crime No.85 of 2021 dated 20.08.2021 under section 12(1-A) (a) of Passport Act, 1967 r/w. Section 420, 468, 471 of IPC. Therefore, the respondents issued show cause notice to the petitioner. On receipt of the same, the petitioner also submitted her explanation.



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3. On instructions the learned counsel for the respondent submitted that admittedly the petitioner got married to an Indian in the year 2010 and was residing in India for the past 14 years. Therefore, she can very well apply for her citizenship of India as Indian. Therefore, if the respondent is directed to pass order no purpose would be served and it will be rejected. Therefore, the petitioner is directed to apply for the citizenship under the Citizenship Act on the basis of her long stay in India. If the petitioner obtained citizenship of India, she can very well apply for fresh passport in the manner known to law.

4. With the above direction, this writ petition is Disposed of. No costs.

06.06.2024

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
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G.K. ILANTHIRAIYAN, J.

gvn

To

The Regional Passport Officer,
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