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W.P.No.36217 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.36217 of 2024

S.Vidhaya Sivabalan

...Petitioner

Vs.

1. The Government of India
Rep. By its Secretary to Government,
Ministry of External Affairs,
Government of India,
South Block, New-Delhi-1.

2. The Government of India
Rep. By its Secretary to Government
Ministry of Home Affairs,
Government of India,
North Block, New-Delhi-1.

3. The State of Tamil Nadu
Rep. By its Secretary to Government,
The Home Department,
Government of Tamil Nadu
Fort St.George, Chennai-600 009.

4. The District Collector
Chengalpattu
Chengalpattu District

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for



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issuance of a Writ of Mandamus, directing the 2nd respondent to provide citizenship to the petitioner by processing the application of the petitioner in MHA file number .2024010334 dated 19.10.2024 within the time frame as may be fixed by this court.

For Petitioner

: Mr.R.Suresh Kumar
for K.M.Vijayan Associates

For Respondents

: Mr.A.Kumaraguru, for R1 & R2
Central Government Counsel

Mrs.M.Jayanthi for R3 & R4
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to 2nd respondent to provide Indian Citizenship to the petitioner by processing her application dated 19.10.2024 in MHA file number .2024010334.

2. It is the case of the petitioner that her father was an Indian citizen and he married a Srilankan citizen. The petitioner was born in the year 1976 at Srilanka and during the ethnic conflict, the petitioner's family migrated to India during April 1981 as per agreement between India and Srilanka. The petitioner has been residing in India from 1981 onwards and she completed graduation in



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India. The petitioner is also issued with various Government ID cards like Driving License, Voter-ID, Ration card, PAN etc. Now, the petitioner submitted an application seeking Indian Citizenship under Section 5(1)(A) of Citizenship Act on 19.10.2024 and the same has not been considered. Hence, the petitioner is before this Court with the above mentioned prayer.

3. Mr.A.Kumaraguru, learned Central Government Counsel takes notice for the respondents 1 and 2 and Mrs.M.Jayanthi, learned Additional Government Pleade takes notice for the respondents 3 and 4.

4. The learned counsel for the petitioner by relying Section 14 of Citizenship Act submits that whenever an application seeking citizenship was filed, the same shall be considered by the competent authority namely the 2nd respondent and a reasoned order shall be passed either granting or refusing the citizenship.

5. In the light of Section 15 of Citizenship Act, this Court is inclined to



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direct the 2nd respondent to consider the application submitted by the petitioner and pass final orders on its' own merits within a period of twelve weeks from the date of receipt of copy of this order.

6. With the above directions, this writ petition stands disposed of. No costs.

04.12.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr

1. The Secretary to Government,
Ministry of External Affairs,
Government of India,
South Block, New-Delhi-1.

2. The Secretary to Government
Ministry of Home Affairs,
Government of India,
North Block, New-Delhi-1.

3. The Secretary to Government,

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The Home Department,
Government of Tamil Nadu
Fort St.George, Chennai-600 009.

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4. The District Collector
Chengalpattu
Chengalpattu District

S.SOUNTHAR, J.
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