



W.P(MD)No.2201 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.2201 of 2024

M.Roma

... Petitioner

Vs.

1.The Passport Officer,
Regional Passport Office,
Madurai.

2.The Inspector of Police,
Thiruthangal Police Station,
Thiruthangal,
Virudhunagar District.

3.A.Karthick Babu
*(R.3 is impleaded vide order of
this Court dated 13.03.2024 in
W.M.P(MD)No.3942 of 2024)*

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to renew / re-issue the Passport No. W4572816 issued to the daughter of the petitioner R.Keshika within a period as may be fixed by this Court award Costs.



W.P(MD)No.2201 of 2024

For Petitioner : Mr.S.Arunachalam

For Respondents : Mr.J.Mahendran
Standing Counsel for R.1

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.2
No Appearance for R.3

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Standing Counsel appearing for the first petitioner and the learned Government Advocate (Criminal Side) appearing for the second respondent. Even though the third respondent has been served, he has not chosen to enter appearance.

2.The petitioner got married to the third respondent on 19.05.2010. It was dissolved on 25.06.2019 in H.M.O.P.No.86 of 2019 on the file of Sub Court, Sivakasi. A girl child R.Keshika was born through the wedlock. The child is now with the writ petitioner. The petitioner wants to renew the child's passport.

3.The first respondent called for report from the second respondent. When the second respondent conducted enquiry, the third



W.P(MD)No.2201 of 2024

respondent appeared before the second respondent and gave his objection in writing. As a result, passport could not be issued. That led to filing of this writ petition.

4.The petitioner's request for deletion of the third respondent's name from the father's column cannot be accepted. However, the first respondent will not insist on obtaining consent or signature from the third respondent. It is well settled that if there is no prohibitory order from the Court, this requirement can be dispensed with.

5.I therefore direct the first respondent to renew the petitioner's daughter's passport without insisting on consent or signature from the third respondent.

6.This writ petition is allowed on these terms. There shall be no order as to costs.

05.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA



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W.P(MD)No.2201 of 2024

G.R.SWAMINATHAN,J.

MGA

To

- 1.The Passport Officer,
Regional Passport Office,
Madurai.
- 2.The Inspector of Police,
Thiruthangal Police Station,
Thiruthangal,
Virudhunagar District.

W.P.(MD)No.2201 of 2024

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