



W.P.(MD)No.10912 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12.11.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.10912 of 2024

Mafthuha

... Petitioner

Vs.

The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai – 625 002.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to take necessary action based on the petitioner's application dated 02.05.2023.

For Petitioner	: Mr.S.A.Ajmal Khan
For Respondent	: Mr.K.Gokul Central Government Standing Counsel

ORDER

The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Mandamus, directing the respondent to take necessary action based on the petitioner's application dated 02.05.2023.”



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2.The petitioner made an application before the Passport Authority for reissuing her son's passport in Reference No.MD1075323423923 on 02.05.2023, for the purpose of changing surname entry in her son's passport. The petitioner originally married one Asfak Ahamed on 24.12.2014 and in the said marriage, she was blessed with one male child, namely Ayaan Ahamed, on 07.06.2016. During 2017, she was separated from Asfak Ahamed and later married one Mohamed Abdul Rahuman on 28.12.2020. Originally, the passport authorities issued the passport of her son in the name of Mafthuha Asfack Ahamed. In view of her marriage with another person, she has submitted a fresh application, seeking to change the surname of her son in the passport. On 15.06.2023 and on 21.11.2023, notice was issued by the respondent, seeking certain clarification. In the meanwhile, on 29.04.2023, the petitioner effected paper publication regarding name change in several English and Tamil Daily for changing the surname from Ayaan Asfack Ahamed to Ayaan Ahamed Mafthuha. Even after the same, the petitioner's application is not considered by the respondent. Hence, the Writ Petition came to be filed.

3.When the matter was taken up for hearing, the learned Central Government Standing Counsel appearing for the respondent would submit that the petitioner's application would be considered, if she appears before the respondent with all necessary documents in original.



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4. Heard the learned counsel appearing for the petitioner, the learned Central Government Standing Counsel for the respondent and carefully perused the entire materials available on record.

5. In view of the same, the petitioner is hereby directed to appear before the respondent along with all the documents in original along with a copy of her application for re-issuance of passport for changing surname of her son within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondent is directed to pass appropriate order in accordance with law within a period of four weeks thereafter.

6. With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs.

12.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn
To
The Regional Passport Officer,
Regional Passport Office,
Bharathi Ula Veethi,
Race Course Road,
Madurai.



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L.VICTORIA GOWRI, J.

Mrn

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