



W.P(MD)No.19357 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.19357 of 2018

P.Umadevi

... Petitioner

Vs

1.The Secretary,
Ministry of External Affairs,
No.68, College Road,
E.V.K.Sampath Salai,
7th Floor,
Nungambakkam,
Chennai- 600 006.

2.The Passport Officer,
Regional Passport Office,
West Boulevard Road,
Water Tank Building,
Trichy-620 008.

3.The Superintendent of Police,
Trichy Rural,
Trichy District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing



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the second respondent to issue passport to the petitioner on her application dated 30.06.2016.

For Petitioner : Mr.D.Shanmugaraja Sethupathi
For R1 & R2 : Mr.Karthikeya Venkitachalapathy
Senior Panel Counsel
For R3 : Mr.Vaikkam Karunanidhi
Government Advocate

ORDER

The petitioner, a Srilankan citizen has approached this Court for a Mandamus, directing the respondents to issue a passport to the petitioner by considering her application, dated 30.06.2016.

2.The learned counsel appearing for the petitioner submits that the petitioner's father is an Indian. However, he married the petitioner's mother, who is a Srilankan. The petitioner was born on 08.12.1960 at Srilanka. The entire family is residing at India from the year 1976. The petitioner got married to one Amudhan, who is also an Indian. The petitioner has approached the respondent Passport authorities for grant of passport to visit her children, who



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are in United Kingdom and United States. Since the petitioner's application was not considered by the respondents, the petitioner has approached this Court in the year 2018.

3.The learned senior Panel counsel appearing for the respondents 1 & 2 submits that this petitioner is not a citizen of India and therefore, she is not entitled to get passport in India as per the Indian Passport Act,1967. In the event, if the petitioner got a citizenship in India, then the petitioner can very well apply for a passport and it would be considered by the passport authorities.

4.This Court considered the rival submissions made by either side and also perused the materials placed on record.

5.Admittedly, the petitioner is a citizen of Srilanka and she was deported to India on 06.07.1976. The petitioner claims that she got married to one Amudhan, who is an Indian. However, she has not filed any application to register herself as a citizen of India.



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6.In view of the above, this writ petition is disposed of with a direction to the petitioner to apply before the concerned authorities for the citizenship of India and in the event, if she is recognized as an Indian, thereafter, she can apply for grant of passport. No costs.

04.01.2024

NCC: Yes/No
Index:Yes/No
Internet:Yes
vrn



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