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WP Nos. 19533 and 19534 of
2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP Nos. 19533 and 19534 of 2024

AND

WMP NO. 21382 OF 2024

1. P.Jayasree

W/o.T.Vasanth, No. 9/23B 302a,
Rajagoalapuram, Gudalur,
Nilgiris-643211.

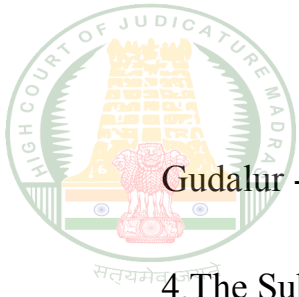
Petitioner(s) in both WPs

Vs

1. Ministry Of External Affairs,
Passport Office, Corporation
Commercial Complex, Avinashi Road,
Coimbatore -641018.

2.The Regional Passport Officer,
Regional Passport Office, Coimbatore,
First Floor, Corporation Commercial
Complex, Opp.Thandumariamman Koil,
Avinashi Road, Coimbatore -641018.

3.Gudalur Municipality,
Represented By Its Commissioner,



Gudalur -the Nilgiris.

4. The Sub-inspector Of Police,
Gudalur Police Station, [GF2R](#)
+plusW3G, Near Taluk Office,
Gudalur, Tamil Nadu -643212.

Respondent(s) in both WPs

PRAYER in WP No.19533 of 2024

Writ petition filed under Article 226 of Constitution of India for the issue of writ of Certiorarified Mandamus to call for the records of the 2nd respondent pertaining to the impugned order bearing the reference No.PRJ/317502283/24 dated 27.03.2024 and quash the same and consequently, direct the respondents to issue the passport in favour of the petitioner in passport application File No.CB1065848817923.

PRAYER in WP No.19534 of 2024

Writ petition filed under Article 226 of Constitution of India for the issue of writ of Certiorari to call for the records of the 2nd respondent pertaining to the impugned letter bearing the reference No.POBJ/308003795/18 Dated 27.12.2018 and quash the same and pass orders.

For Petitioner(s): Mr.E. Manoharan
in both WPs

For Respondent(s): Mr.T.M.Rajangam, Government
Advocate for R3
Leonard Arul Joseph Selvam
Government Advocate [Crl Side]
for R4



COMMON ORDER

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WP No.19534 of 2024 has been filed challenging the letter of the 2nd respondent dated 27.12.2018 wherein the 2nd respondent came to a conclusion that the petitioner is a Srilankan National and directed the petitioner to surrender the passport.

2. WP No.19533 of 2024 has been filed challenging the intimation of the 2nd respondent dated 27.03.2024 informing the petitioner that the application submitted by the petitioner for issuance of passport is rejected on certain grounds.

3. Heard Mr.E. Manoharan, learned counsel for the petitioner and Mr.T.M.Rajangam, learned Government Advocate for 3rd respondent and Mr.Leonard Arul Joseph Selvam, learned Government Advocate [Crl Side] for 4th respondent.

4. The case of the petitioner is that she was born on 16.12.1993 in Gudalur, Nilgiris District. To substantiate the same, the birth certificate that was issued by the competent authority has been relied upon. Unfortunately for the petitioner, her father happens to be an Indian and mother happens to be a Srilankan National. In any case, the fact that the petitioner was born in India and the birth certificate was issued in her name and the said certificate is found to



be genuine, there can be no doubt that the petitioner is an Indian citizen.

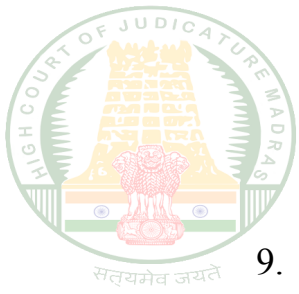
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5. The petitioner was issued with an Indian Passport on 13.02.2013 carrying her father's name as a surname. This passport was valid till 12.02.2023. The petitioner got married on 08.09.2016 to one Mr.Vasanth, who is an Indian citizen. He was working abroad and the petitioner also travelled along with him and was residing with him in some of the foreign countries wherever he was working.

6. The petitioner submitted an application in the year 2018 for re-issuance of the passport with her husband's name as the surname. A passport was also issued to the petitioner and the same was valid till 03.04.2028.

7. The petitioner travelled to Srilanka from Chennai on 08.12.2018 along with her mother. At that point of time, the passport of the petitioner's mother was verified and it was found that she was a Srilankan citizen holding an Indian Passport. The spark for the entire problem started from there.

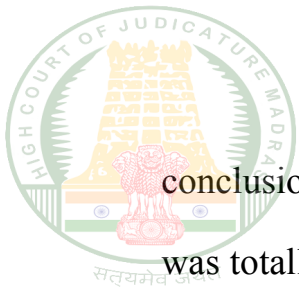
8. The 2nd respondent issued an impugned letter dated 27.12.2018 to the petitioner stating that the petitioner is a Srilankan National and she has obtained Indian passport and directed the petitioner to surrender the passport immediately. This letter has been put to challenge in WP No.19534 of 2024.



9. In view of the above directions issued, the petitioner surrendered her passport. In the meantime, she gave birth to two children and she was residing in India and she was not able to go back and join with her husband. Under such circumstances, the petitioner submitted an application on 16.10.2023 before the Regional Passport officer seeking for issuance of passport. The said application was considered by the 2nd respondent and the 2nd respondent through intimation dated 27.03.2024 informed the petitioner that the application is rejected on the ground that the petitioner is holding multiple passports, there is an adverse police verification report and the petitioner has submitted fictitious / fake documents and the said intimation has been put to challenge in WP No.19533 of 2024.

10. The Regional Passport officer has completely lost site of the fact that the petitioner is an Indian citizen. The same is evident from the birth certificate issued to the petitioner and also the school certificates which all reflects the fact that the petitioner was very much an Indian citizen. Just because, the petitioner's mother at one point of time was a Srilankan, that by itself, cannot be a ground to doubt the citizenship of the petitioner, when it is substantially supported by the documents that were produced by the petitioner before the Authority.

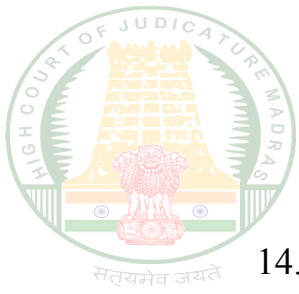
11. It is quite surprising that the Regional Passport Officer came to a



conclusion that the petitioner is an Srilankan National and such a conclusion was totally baseless and without any reasons. Since the passport officer directed the petitioner to surrender the passport, the petitioner had to surrender the passport and seek for issuance of a fresh passport.

12. The Regional Passport officer has stated that the petitioner is in position of multiple passports. This finding rendered by the officer is unsustainable since the petitioner was issued with the passport initially by carrying the name of her father as a surname. This was in the year 2013. After the marriage, the petitioner once again applied with a request to show her husband's name as the surname and in 2018, the passport was issued which was valid till 03.04.2028. Subsequently, the Passport Officer directed the petitioner to surrender the passport and the petitioner was desperate to go and live with her husband, who was working in the abroad and therefore, the petitioner was forced to apply for a fresh passport. Therefore, the passports that were issued in the name of the petitioner by the Regional Passport Officer was done after proper verification and it is not a case of the petitioner concealing the earlier passport and obtaining a new passport.

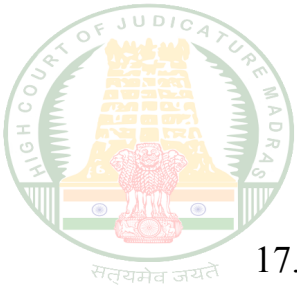
13. Insofar as the reasons assigned as if the petitioner has submitted fictitious/fake documents, the officer does not even spell out which of those documents were found to be fictitious/fake documents.



14. In the considered view of this Court, the passport officer has dealt with the case of the petitioner with a jaundiced eye just because the petitioner's mother happens to be a Srilankan. This has resulted in the officer entertaining certain preconceived notions which ultimately ended up in issuing the impugned communication dated 27.12.2018 and the rejection intimation dated 27.03.2024. These conclusions arrived at by the Regional Passport Officer is unsustainable and baseless and illegal, since none of those conclusions were supported by any reasons or documents.

15. In view of the above confusion that had started from the year 2018 onwards, the petitioner is forced to live away from her husband and she was not able to join with her husband. This hardship faced by the petitioner must be brought to an end.

16. The upshot of the above discussion leads to the only conclusion that the impugned communication dated 27.12.2018 issued by the 2nd respondent and the impugned rejection intimation letter dated 27.03.2024 deserves to be quashed. There shall be a direction to the 2nd respondent to process the application submitted by the petitioner and issue a fresh passport to the petitioner within a period of four weeks from the date of receipt of a copy of this order.



WP Nos. 19533 and 19534 of
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17. In the result, both the writ petitions are allowed with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

13-06-2025

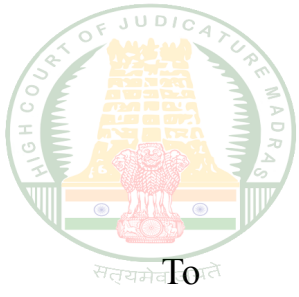
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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Passport Office, Corporation
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3.Gudalur Municipality,
Represented By Its Commissioner,
Gudalur -the Nilgiris.

4.The Sub-inspector Of Police,
Gudalur Police Station, Gf2rplusw3g,
Near Raluk Office, Gudalur, Tamil
Nadu -643212.



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N.ANAND VENKATESH J.
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