

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-06-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 22868 of 2025

1. AISHWARYA

D/o.M.Kumaran, No.33, 4th
Street, Bharath Nagar, Kadappa
Road, Puthagaram, Kolathur,
Chennai-600 099.

Petitioner(s)

Vs

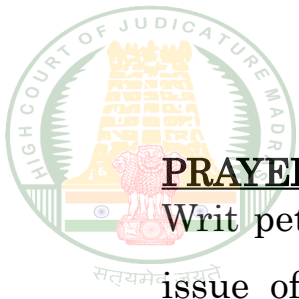
1. The Regional Passport Officer
O/o.The Regional Passport Office
Old No.785, New No.158, Royala
Towers 2 And 3, 4th Floor, Anan
Salai, Chennai-600 002

2.The Passport Seva Kendra-
saligramam,
No.1, Bhanumathi Ramakrishna
Road, Bharathi Colony,
Vijayaragavapuram, Saligramam,
Chennai-600 093.

3.RAJALACHMAN

S/o.Ramasamy, No.D606, Lancor
Lumina, Nellikuppam High Road,
Guduvanchery, Chengalpattu-603
202.

Respondent(s)

**PRAYER**

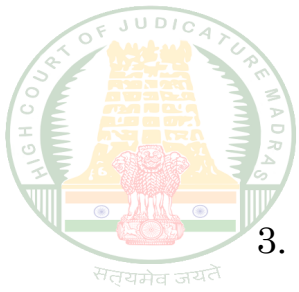
Writ petition filed under Article 226 of Constitution of India for the issue of writ of Mandamus directing the respondents 1 and 2 to consider the passport application submitted by the petitioner through online on 22.04.2025 bearing Reference (ARN) No.25-1050421601 to issue a passport to the petitioners minor Son, Navish Aishwarya (A.Navish) without insisting for production of no objection from the 3rd respondent who is biological father and to add the name of the step father at the place of father in the passport.

For Petitioner(s): Mr.R.Munuswamy
For Mr.G.Subramanian
Respondent(s): Central Government
Counsel for R1 and R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 1 and 2 to act upon the application submitted by the petitioner wherein the petitioner has sought for issuance of passport for her minor son without insisting for a No objection certificate from the 3rd respondent who is the biological father.

2. Heard Mr.R.Munuswamy, learned counsel for the petitioner and Mr.G.Subramanian, learned Central Government Counsel for Respondents 1 and 2.



3. The issue involved in the present writ petition was dealt

with by this Court in WP No.21709 of 2025 by an order dated

18.06.2025. The relevant portions are extracted hereunder :-

6. *In the considered view of this Court, the application submitted by the petitioner seeking for passport has to be processed independently. It is not necessary for a wife to get the permission of her husband and take his signature before applying for a passport before the authority. This insistence made by the 2nd respondent shows the mindset of the society in treating woman who are married as if they are chattel belonging to the husband. It is quite shocking that the passport office is insisting for the permission of the husband and his signature in a particular form in order to process the application submitted by the petitioner for passport. Already the relationship between the petitioner and her husband is in doldrums and the 2nd respondent is expecting the petitioner to get the signature of the husband. Virtually, the 2nd respondent is insisting the petitioner to fulfill an impossibility.*

7. *The petitioner after marrying the above said Mohanakrishnan does not loose her individuality and a wife can always apply for passport without the permission or signature of the husband in any form. The practice of insisting for permission from the husband to apply for passport, does not augur well for a society which is moving towards woman emancipation. This practise is nothing short of male supremacism.*

8. *In the light of the above discussion, there shall be a direction to the 2nd respondent to process the application submitted by the petitioner and issue passport in the name of the petitioner on*



the petitioner satisfying the other requirements. This process shall be completed by the 2nd respondent within a period four weeks from the date of receipt of copy of the order.

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4. It is seen from records that the petitioner filed a petition for the dissolution of the marriage in HMOP No.228 of 2022 before the Principal Sub Court, Ponneri which was transferred to the Sub Court Thiruvottiyur and it was renumbered as HMOP No.207 of 2023. Ultimately, the marriage was dissolved by mutual consent. Thereafter, the petitioner is married to another person. Thereby, the relationship of the petitioner with the 3rd respondent was legally snapped long back. The petitioner submitted an application for issuance of passport in the name of her son, who was born out of the wedlock with the 3rd respondent. It seems that the respondents 1 and 2 are insisting for a no objection certificate from the 3rd respondent.

5. In the considered view of this Court, taking note of the above order passed by this Court, there is no need for the respondents 1 and 2 to seek for No objection certificate from the 3rd respondent. The petitioner has already completed all the other formalities by submitting the necessary forms. Therefore, there shall be a direction to the respondents 1 and 2 to process the application



and to issue passport to the petitioner's son without insisting for No objection certificate from the 3rd respondent. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. In the result, this writ petition is disposed of with the above directions. No costs.

26-06-2025

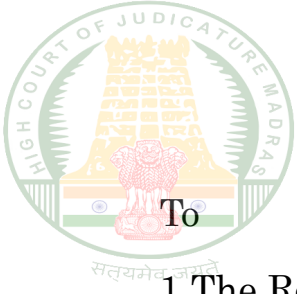
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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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