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WP No. 23550 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**WP No. 23550 of 2025
and WMP No. 26447 of 2025**

Mrs.A.Shashikala

Petitioner(s)

Vs

1.Union Of India
Rep. by Secretary
Ministry Of External Affairs,
Government Of India, South Block,
New Delhi 110 011.

2.The Regional Passport Officer
Shastri Bhawan,
No. 26 Haddows Road,
Chennai 600 006.

3.The Passport Officer
Passport Seva Kendra
No. 1, Bhanumathi Ramakrishnan Road,
Saligramam, Chennai

4.Jaganathan K



Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to process and issue passport to the minor daughter Ms.Snegha of the petitioner by considering her Application No.25-1049931191 in File No. MA1074954040825, dated 11.04.2025 without insisting upon the consent of the biological father in accordance with law.

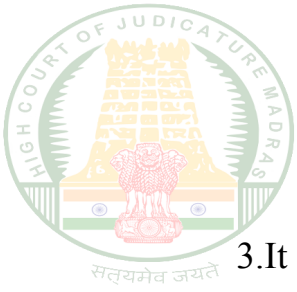
For Petitioner(s): Mr.K.Abarnashri

For Respondent(s): Mr.K.Balaji
Central Government Counsel
for R1 to R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to process the application submitted by the petitioner dated 11.04.2025, wherein, the petitioner is seeking for issuance of passport for her daughter Snegha.

2.Heard Mr.K.Abarnashri, learned counsel appearing on behalf of the petitioner and Mr.K.Balaji, learned Central Government Counsel appearing on behalf of the respondents 1 to 3.

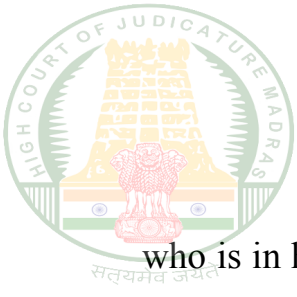


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3.It is seen from records that the 4th respondent is the biological father of the said Snegha and the marriage between the petitioner and the 4th respondent was dissolved by mutual consent by judgement in O.P.No.4272 of 2019 dated 12.10.2020 on the file of the IV Additional Family Court, Chennai. A careful reading of the proof affidavit that was filed before the Family Court shows that the custody of the elder daughter was given to the 4th respondent and the custody of the younger daughter Snegha was given to the petitioner.

4.The petitioner submitted an application for issuance of passport for her daughter Snegha. Since the same was not processed and the Passport Officer was insisting for no objection from the 4th respondent, the present writ petition has been filed before this Court.

5.In the considered view of this Court, the marriage has been dissolved by mutual consent and the parties have agreed that the elder daughter will be in the custody of the 4th respondent and the younger daughter will be in the custody of the petitioner. The petitioner is only seeking for passport for the younger daughter



who is in her custody. Therefore, there is no requirement for the petitioner to get a

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no objection from the 4th respondent, since the Passport Officer is only issuing a passport in the name of the minor daughter.

6. In view of the above, there shall be a direction to the 2nd and 3rd respondents to act upon the application submitted by the petitioner and issue passport in the name of petitioner's daughter Snegha, if all the other requirements are satisfied, without insisting for no objection from the 4th respondent, within a period of four weeks from the date of receipt of copy of this order.

7. This writ petition is disposed of with the above directions. No Costs.

Consequently, connected miscellaneous petition is closed.

01-07-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



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To

1.The Secretary
Union Of India
Ministry Of External Affairs,
Government Of India, South Block,
New Delhi 110 011.

2.Regional Passport Officer
Shastri Bhawan,
No. 26 Haddows Road,
Chennai 600 006.

3.Passport Officer
Passport Seva Kendra No. 1
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N.ANAND VENKATESH J.

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