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W.P.No.46343 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.46343 of 2025
and W.M.P.Nos.51692, 51694 & 51695 of 2025

A.B.Rahatzamany

... Petitioner

Vs

1.Union of India,
Rep by its Secretary,
Ministry to External Affairs,
Patiala House Annex,
Tilak Marg, New Delhi-100 001.

2.Bureau of Immigration Department,
Represented by its Commissioner (Immigration),
Calicut International Airport,
Airport Road, Kozhikode,
Karipur, Kerala-673647

3.The Regional Passport Officer,
Regional Passport Office,
Rayala Towers 2 & 3, IV Floor,
New No,158, Anna Salai,
Chennai-2.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating the Impugned Seizure Form dated 21.11.2021 of the 2nd respondent and consequent Impugned Letter Ref.No.CNO/311939631/21 dated 24.12.2021 and Impugned Letter Ref.No.CNO/31365377/22 dated 02.11.2022 of the 3rd Respondent and quash the same as illegal and consequently direct the 3rd respondent to release the Petitioner's passport bearing No.N6151870 by considering the Petitioner's representation dated 30.10.2025 within the time frame stipulated by this Hon'ble Court.

For Petitioner : Mr.I.Abdul Basith

For Respondents : Mr.M.Sathyan for RR-1 to 3

ORDER

Aggrieved by the Seizure Form dated 21.11.2021 issued by the 2nd respondent, the petitioner is before this Court praying for a consequential direction to the respondent to release the passport of the petitioner on the basis of his representation dated 30.10.2025 within the time that may be stipulated by this Court.



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2. It is the case of the petitioner that, on 21.11.2021, while she was traversing through Calicut International Airport, the petitioner's passport was seized by the officials of the 2nd respondent under the impugned seizure form dated 21.11.2021, on the ground that she had travelled to Yemen in the year 2020, a country then under travel restriction issued by the Ministry of External Affairs, without prior intimation. Consequent thereto, the petitioner received the impugned letters dated 24.12.2021 and 02.11.2022 from the 3rd respondent calling upon the petitioner to furnish explanation with regard to the Yemen Visa and immigration seals. In this connection, the petitioner also submitted a representation dated 30.10.2025 to the respondents seeking release of her passport undertaking that she would not travel to Yemen or any other restricted country in accordance with the prevailing MEA advisories unless officially permitted by the Government however, the same has not been considered till date. Hence, the petitioner has come up with the present Writ Petition.

3. Learned counsel appearing for the petitioner submitted that the impugned seizure form as also the other consequential communications of the 3rd respondent are wholly arbitrary and illegal as no opportunity of hearing was given to the petitioner before passing the same which is in violation of principles of natural justice. Accordingly, he prayed for appropriate orders.



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4. Learned Government Advocate appearing for the respondents submitted that the petitioner's representation dated 30.10.2025 for release of passport will be considered on merits and appropriate orders will be passed.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. It is the specific case of the petitioner that she was not aware of the travel restrictions of Yemen and that she has gone only for the purposes of medical treatment and not otherwise. It is also not the case of the respondents that the petitioner has violated any law or has indulged in anti-national activities or has any previous case against her. That being the case, the case of the petitioner has to be considered in the light of the orders passed by this Court in case of **Ramesh Kumar Vs. Union of India** W.P.No.24309 of 2024 dated 30.09.2024 wherein, a similar issue was already dealt with.

7. For the reasons aforesaid, the Writ Petition stands disposed of with liberty to the petitioner to file a fresh representation seeking release of passport along with an undertaking affidavit stating that she will not travel to Yemen or any other restricted country until she is permitted to by the Government of India. On receipt of such representation, the authority concerned shall consider the case of the petitioner for release of passport and pass appropriate order on merits and



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accordance with law.

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8. The Writ Petition stands disposed of in the above terms. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

27.11.2025

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

Nhs

To

1.The Secretary,
Union of India,
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Patiala House Annex,
Tilak Marg, New Delhi-100 001.

2.The Commissioner (Immigration),
Bureau of Immigration Department,
Calicut International Airport,
Airport Road, Kozhikode,
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