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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.33479 of 2025
and W.M.P(MD).No.26420 and 26423 of 2025

1.Mohammed Mansoor
2.Sultan Basha Usman Khan

.. Petitioners

Vs

The Passport Authority/ The Passport Officer,
Ministry of External Affairs,
Government of India,
Claret Plaza, Melakkal Main Road,
Kochadai, Madurai 625 013.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records of the respondent pertaining to his order No.Nil dated Nil written on the petitioner's print-out of the minor first petitioner's Online application receipt for reissue normal application MD 1075848022825 (payment on 29.10.2025) quash the said order, directing the respondent to reissue passport to the minor first petitioner within a time to be fixed by this court.

For Petitioners : Mr.K.N.Thampi



For Respondent : Mr.B.Brijesh Kishore
Central Government Standing Counsel

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ORDER

This writ petition has been filed to quash the order No.Nil dated Nil of the respondent's endorsement on the first petitioner's Online application receipt and consequential direction to the respondent to reissue passport to the minor first petitioner within a time to be fixed by this court.

2. Heard the argument of the learned counsel appearing for the petitioner and Mr.B.Brijesh Kishore, learned Central Government Standing Counsel, who takes notice on behalf of the respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The second petitioner is the maternal grandfather of the minor first petitioner. Since the parents of the minor first petitioner and the wife of the second petitioner died, the second petitioner is the sole guardian of the minor first petitioner and he is taking care of him. When the minor first petitioner's mother was alive, the first petitioner had passport No.P6520917, issued on 16.01.2017, which expired on 15.01.2022. Thereafter, the said passport was not renewed. Since the second petitioner intends to go on a pilgrimage along



with the minor first petitioner as there are no body to take care of him, an application for renewal of the first petitioner's passport was submitted to the respondent. However, the same was returned by the respondent stating that since there is no guardian for the minor first petitioner, his passport cannot be reissued. It is the contention of the second petitioner that no order in writing made as mandated by Section 5(2)(c) of the Passports Act, 1967 and further, he has not been furnished any order. Therefore, the impugned order is illegal and unsustainable. It is also stated that the second petitioner is the sole close relative of the minor first petitioner, since the first petitioner's parents, paternal grandparents and maternal mother have passed on. Hence, it is necessary to renew the passport of the first petitioner.

4. Heard the learned counsels on either side.

5. The only reason for not issuing the passport of minor first petitioner is on account of the fact that the applicant is the maternal grandfather and the passport authorities wants to avoid any potential future claim from the paternal side. It is informed that the paternal grandparents of the minor is no more as also the maternal grandmother. The second petitioner alone has been taking care of the minor first petitioner including his education and general



maintenance. Therefore, I find no impediment for the reissue of the passport in favour of the minor first petitioner. Accordingly, the impugned order is quashed and this Writ Petition is allowed. The second petitioner is directed to submit an affidavit stating that the paternal grandparents as also the maternal grandmother of the minor first petitioner are no more. On such affidavit being filed, the passport shall be issued within a period of two weeks therefrom. No costs. Consequently, connected Miscellaneous Petitions are closed.

21.11.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

Rmk

To
The Passport Authority/ The Passport Officer,
Ministry of External Affairs,
Government of India,
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P.T.ASHA, J.

Rmk

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