



W.P(MD)No.34608 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.34608 of 2025

Kamaleswaran

... Petitioner

Vs.

1.Union of India,
Represented by its Secretary,
The Ministry of External Affairs (MEA),
74B, South Block,
New Delhi – 110 011.

2.Union of India,
Represented by its Secretary,
The Ministry of Home Affairs (MHA),
North Block,
New Delhi – 110 011.

3.The High Commissioner,
The Indian High Commission,
No.36-38, Galle Road,
Colombo 03,
Sri Lanka.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 07.04.2025 and pass orders within time limit as stipulated by this Court.

For Petitioner : Mr.I.Romeo Roy Alfred
For Respondents : Mr.K.Govindarajan
Deputy Solicitor General of India

ORDER

Heard both sides.

2.The writ petitioner was born in Sri Lanka. He is of Indian origin. It is not in dispute that he is a tamilian. The petitioner states that his grandparents were all born in India and they were Indian nationals. The petitioner's grandfather is said to have applied for Indian citizenship in the year 1969. On account of the ethnic strife in Sri Lanka, the petitioner and his family migrated to India in the year 1990. They are residing in the refugee camp at Virudhunagar ever since.

3.The petitioner has given representation dated 07.04.2025 seeking details regarding the status of his grandfather. In other words, if his



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grandfather had applied for citizenship, the same would strengthen the petitioner's case for obtaining citizenship. In effect, the petitioner is seeking information from the respondents 1 and 2. Right to information is recognised as a fundamental right under Article 19(1)(a) of the Constitution of India. However, the said Article cannot be invoked by the petitioner because he is not a citizen. But the right of the petitioner need not be traced to Article 19(1)(a) or to the provisions of the Right to Information Act. It can rather be located within the framework of Article 21 of the Constitution of India. If the information sought by the petitioner is made available to him, it would certainly facilitate his application for citizenship.

4. In these circumstances, the respondents 1 and 2 are called upon to look into the writ petitioner's representation. They may have to call for old records. This in the very nature of things will take sometime. Therefore, I consciously refrain from imposing any outer time limit. I would, however, expect the respondents 1 and 2 to look at this case at humanitarian angle and do the needful.



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5.This Writ Petition is disposed of accordingly. No costs.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

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The Ministry of External Affairs (MEA),
74B, South Block,
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G.R.SWAMINATHAN, J.

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