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W.P.No.1064 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2026

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.1064 of 2026

Infia Lilly

... Petitioner

Vs.

1.The Regional Passport Officer
Regional passport office,
Royala Towers No.2 and 3, IV floor,
Old No. 785, New No. 158 Anna Salaim
Chennai -02

2.M.Joseph Kamal Deep

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of Mandamus, directing the first respondent
to issue a passport to minor daughter of the petitioner Daphne Rose Infia
Lilly as per application No. MA3065975533625 on 25.11.2025.



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For Petitioner : Mr.Vimal B.Crimson

For Respondents : Ms.R.Suchitra, Senior Panel Counsel,
for R.1.

ORDER

The writ petition is filed to direct the 1st respondent to consider the petitioner's application No. MA3065975533625 dated 25.11.2025 for the issuance of a passport in favour of the petitioner's minor daughter, namely Daphne Rose Infia Lilly.

2. When the matter came up for hearing, Ms.R.Suchitra learned Senior Panel Counsel takes notice on behalf of the 1st respondent.

3. Upon perusal of the affidavit filed in support of the writ petition and the materials available on record, it is seen that the petitioner and her husband, the 2nd respondent, obtained a divorce in F.C.I.D.O.P. No. 321 of 2019, on the file of the Family Court, Chengalpet. The custody of the child born out of wedlock between the petitioner and the 2nd respondent, namely, Daphne Rose Infia Lilly, is with the petitioner.

4. The petitioner had applied for a passport for her minor child, and an appointment in this regard was scheduled on 25.11.2025 at the Regional



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Passport Office, Tambaram. However, although the petitioner had submitted all the relevant documents, completed all necessary declarations, namely, Annexures C and D, and provided a copy of the divorce order, her application was withheld for want of the consent of the 2nd respondent. The petitioner's grievance is that after the divorce, the 2nd respondent never visited the minor child and his whereabouts are unknown. Therefore, it is not possible for her to obtain consent from the 2nd respondent for the issuance of a passport for her minor child.

5. The issue as to whether a single parent is entitled to seek the issuance of a passport for a minor child is no longer res integra. The High Court of Telangana in judgement of ***Zaynab Aaliyah Mohamed vs. The Union of India (W.P.No. 25962 of 2024)*** have authoritatively held that such application that is made by a single parent can also be considered by the passport issuing authorities, provided that the declarations in Annexure C, D, etc., which may be required by them, are filled up and submitted by the single parent.

6. This issue has also been considered in detail by a Coordinate Bench of this Court in ***W.P. No. 10202 of 2025***. The learned Judge, relying upon the judgments of the Telangana High Court in ***Zaynab Aaliyah***



W.P.No.1064 of 2026

Mohamed vs. The Union of India (W.P. No. 25962 of 2024) and the Kerala

High Court in ***Juvairiya vs. Regional Passport Officer and Chaitanya S.***

Nair vs. Union of India, had ultimately allowed the Writ Petition filed by a single mother and directed the passport issuing authorities to issue passport to her minor son.

7. The facts on hand also are of a similar nature. Therefore, the Writ Petition is disposed of with the following directions:-

“ The 1st respondent shall issue a fresh notice for appearance to the petitioner and shall not insist upon the consent from the 2nd respondent but shall process the application on the basis of the declaration in Annexure C and on the petitioner filing an affidavit stating that the minor child is in her care and custody. On receipt of the same, the 1st respondent shall process the application of the petitioner and issue a passport to the petitioner’s minor daughter, Daphne Rose Infia Lilly. The said exercise shall be completed within a period of 3 weeks from the date of receipt of a copy of the order.” No costs.

20.01.2026

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

4/6



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