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W.P.No.2462 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2026

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.2462 of 2026

Madhumitha Parthipan

... Petitioner

Vs.

The Passport Officer,
Passport Seva Kendra,
Ministry of External Affairs,
Government of India,
No.1, Banumathi Ramakrishna Road,
Bharani Colony,
Vijayaraghavapuram,
Saligramam,
Chennai 600 093.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, to direct the respondent to process the Application Reference No.25-1069306205 dated 28.12.2025 on the file of respondent herein, made by the petitioner as a single parent to her Minor daughter by name Mihira Shree and process the application Reference No.25-1069306205, dated 28.12.2025 on the file of the respondent herein, under Clause (h) of Annexure – C, within a time frame as may be fixed by this Court.



For Petitioner : Ms.Elizabeth Ravi

For Respondent : Mr.S.Dilliraj,

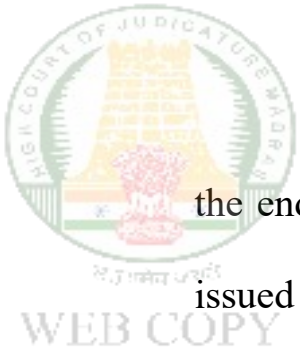
Central Government Counsel

ORDER

The writ petition is filed to direct the respondent to consider the petitioner's application No.25-1069306205 dated 28.12.2025 for the issuance of a passport in favour of the petitioner's minor daughter, namely Mihira Shree.

2. When the matter came up for hearing, Mr.S.Dilliraj, learned Central Government Counsel takes notice on behalf of the 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 was married to Aravindh Singaram on 08.02.2021. During the said wedlock, a female child, namely, Mihira Shree was born on 15.05.2022 and the child is now in the custody of the petitioner. Owing to matrimonial differences between the petitioner and her husband, the petitioner issued a legal notice dated 19.12.2025 seeking divorce by mutual consent; however, the said notice was returned with



the endorsement “Refused.” Thereafter, the petitioner’s husband had issued a legal notice dated 03.01.2026 to the petitioner seeking restitution of conjugal rights. In the meanwhile, the petitioner had applied for issuance of a passport for her minor child, and appeared for an interview before the respondent on 07.01.2026. Though she had submitted all the relevant documents, the application was kept pending for want of the husband’s consent. The grievance of the petitioner is that no matrimonial proceedings have yet been instituted by either party, and therefore, she is unable to obtain any order from the competent matrimonial Court as contemplated under Sub-Clause (e) of the relevant Passport Rules/guidelines. Further, in view of the strained relationship between the parties, there is no possibility of securing the consent of the child’s father for issuance of the passport. Therefore, she is unable to obtain the consent of her husband for the issuance of a passport to the minor child.

4. 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)*** has 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.

5. 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 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 authorities to issue passport to her minor son.

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

“ The respondent shall issue a fresh notice for appearance to the petitioner and shall not insist upon the consent of the petitioner’ husband but shall process the application on the basis of the declaration in Annexure C and upon the petitioner filing an affidavit



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stating that the minor child is in her care and custody. On receipt of the same, the respondent shall process the application of the petitioner and issue a passport to the petitioner's minor daughter, Mihira Shree. 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.

26.02.2026

(srn)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

The Passport Officer,
Passport Seva Kendra,
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P.T. ASHA. J.,

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