



WEB COPY

WP No. 12917 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 12917 of 2026

Preethi

..Petitioner(s)

Vs

1. Union Of India,
Rep. By its Secretary,
Ministry of External Affairs,
South Bloc,,
New Delhi-110011.
2. The Regional Passport Officer,
Regional Passport Office,
Rayala Towers No.158 Anna Salai,
Chennai-600 002.
3. The Granting Officer,
Passport Seva Kendra, Tambaram,
Claret Complex, Duraisamy Reddy Street,
West Tambaram,
Chennai-600 045.
4. M. Vignesh

..Respondent(s)

Prayer Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the Respondents No.2 and 3 to renew and reissue the Passport of the minor child Harshvardhan, bearing Passport No.V1296216, pursuant to Application Reference No.26-1051642946, without insisting upon the consent of 4th Respondent, the father of the minor child.



For Petitioner(s): Mr.P.Rajkumar

WEB COPY For Respondent(s): Mr.V.Chandrasekaran

ORDER

The present Writ Petition has been filed seeking a direction to respondents 2 & 3 to renew and reissue the Passport of the minor child Harshvardhan, bearing Passport No.V1296216, pursuant to Application Reference No.26-1051642946, without insisting upon the consent of 4th Respondent, the father of the minor child.

2. The petitioner herein is the wife of the 4th respondent. The petitioner being the mother and the natural guardian, had applied for renewal and re-issuance of passport in respect of her minor son namely Harshvardhan, aged about 6 years as the passport of the minor child is due to expire on 05.07.2026. However, the said application has been kept pending by the respondent authorities insisting upon the consent of the 4th respondent/ the father of the minor child. The grievance of the petitioner is that due to personal disputes between the petitioner and the 4th respondent, the 4th respondent is refusing to give consent for grant of passport in respect of their minor child. Therefore, the petitioner left no other alternative and efficacious remedy, has filed the present Writ Petition seeking the aforesaid relief.



3. Learned counsel appearing for the petitioner submitted that, when the minor child is under the custody of the petitioner pursuant to the decree of divorce passed by the Family Court Chennai, the act of the respondents in holding the passport of the minor child insisting on the consent of the father is wholly arbitrary and illegal. Accordingly, he prayed this Court to pass appropriate orders.

4. On the above contention, this Court heard the learned counsel appearing for respondents 1 to 3.

5. Considering the facts and circumstances of the case and also the submission made by the learned counsel for the petitioner that the 4th respondent has not provided consent for grant of passport in respect of their minor child, this Court, without expressing any opinion on the merits of the case, deems it appropriate to permit the respondents to issue notice to the 4th respondent with regard to grant of consent. In the event, the 4th respondent does not give the consent for issuance of passport in respect of the minor child, the respondents authorities shall proceed with issuance of passport in the name of the petitioner clearly stipulating in the passport that the petitioner would not be eligible to overseas with the minor child without submitting a letter of consent from the 4th respondent/the father of the child. The entire exercise shall be completed within a period of three weeks from the date of receipt of a copy of this order.



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M.DHANDAPANI, J.

NHS

6. With the above observation and direction, this Writ Petition stands disposed of. There shall be no order as to costs.

06-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

NHS

To

1. The Secretary,
Union Of India,
Ministry of External Affairs,
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New Delhi-110011.
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